

Recommendation Report for Planning Permission

REF NO: BN/62/21/PL

LOCATION: The Croft Surgery
Barnham Road
Eastergate
PO20 3RP

PROPOSAL: 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.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The new medical centre would be predominantly two storeys in height with a parapet style flat roof. The majority of the building will be around 7.7m high with the exception being an aluminium louvred raised plant area in the northern part of the roof which adds a further 1.5m. The plans indicate solar panels to the roof. The building includes a canopy on the front as well as a smaller "Brise Soliel" to the pharmacy. Materials will be subject to approval through a condition but are indicated to be brickwork at two levels with bands of relief panels and textured brickwork.

The floor plans include a pharmacy (retail use) on the ground floor in the south western corner. Other facilities include consulting rooms, treatment rooms, offices, staff rooms, meeting rooms, utility rooms, plant rooms, cleaning cupboards, waiting areas, a reception, interview rooms, toilets and staff lockers. The building will have a total floor space of 1,628 square metres of which 131m² will be allocated to the pharmacy. There are both lifts and stairs between the two floors. All building entrances will be ramped.

The site will be accessed from an existing informal access into the staff car park from Barnham Road but this will be widened/slightly moved (15.5m wide at the carriageway edge/5.5m wide internally) and improved with new 6m bellmouth radii, visibility splays, new pedestrian footway along the western edge and tactile paving to crossing points. The scheme also shows new tactile paving to indicate a potential crossing point over the Barnham Road just east of the access as well as new hardstanding at a bus stop on the opposite side of the road. These off-site proposals will be secured through the WSCC s278 Agreement. The access leads into the site via a 70m approx. driveway with landscaping to each side.

The wider site proposal includes a main car park of 44 spaces (including 8 disabled bays), a rear staff car park (28 spaces) and two larger drop off spaces for ambulances/taxis to the eastern side. An uncovered bin store will be provided in the north western corner of the site but there are no elevation details of this and no details either of any cycle storage.

As per the previous application, the layout slightly bends the access road around the large protected Oak Tree located just over the eastern boundary. Landscaping details submitted with the application propose the following:

- New specimen tree planting (40 trees);
- New mixed native hedges along the site perimeter;
- Wildflower planting will be seeded within SuDS infiltration areas to the rear of the site and along the access road providing visual interest and habitat for insects, mammals, birds, amphibians and reptiles; and
- Hornbeam hedges and a mix of low maintenance shrub and groundcover plants would be used to frame and soften the medical centre and to create a wellness garden for staff and visitors.

SITE AREA	0.7336 hectares.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat.
TREES	There are lots of trees to the site boundaries with one notable protected Oak tree on adjoining land to the east.
BOUNDARY TREATMENT	Tall hedging/existing tree planting to the doctors surgery and field boundaries on the eastern side. Boundaries to the south and west with residential properties close boarded fencing of between 1.8m and 2m in height. The northern boundary was not clear due to the overgrown nature of the site.
SITE CHARACTERISTICS	The southern narrow part of the site is used for staff car parking for approximately 20 vehicles. There is then a gate into the larger open part of the site which was overgrown up to 2m in places.
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. The existing surgery to the south east is single storey. The Collins Close dwellings to the west of the proposed new building include windows in rear elevations which overlook the site.

RELEVANT SITE HISTORY

EG/4/19/PL	Change of use of land to recreational space associated with medical centre.	ApproveConditionally 04-04-19
EG/57/16/PL	Medical centre with pharmacy retail unit & other ancillary uses together with access onto Barnham Road & associated car parking. This application is a Departure from the Development Plan.	ApproveConditionally 03-07-17

EG/57/16/PL proposed a medical centre with pharmacy retail unit & other ancillary uses and was approved in July 2017 and has now time expired. Prior to this, outline planning permission for a proposed surgery incorporating a pharmacy was granted in February 2010 and subsequently renewed in 2012.

REPRESENTATIONS

Barnham and Eastergate Parish Council state support but with the following concerns:

- Lack of site permeability/lack of connectivity to the proposed Barratt housing behind the site and beyond to the Dandara development at Fontwell. No engagement with the plans for the proposed fit trail and a lack of connectivity to this proposed site.
- Concerns over the catchment area for the new surgery and request confirmation.
- Concern as to the future of the Barnham pharmacy as if this was then closed, people would then only be served by the pharmacy at the surgery therefore increasing road traffic.
- Future plans for the current surgery site.
- Concerns with the access and potential for queuing traffic on Barnham Road. Request the latest new housing numbers used in connection with this proposal and state that enhancements are required to Barnham Road with traffic mitigation measures at the site entrance.

In addition, 14 letters of support with the following comments:

- Current Surgery is inadequate;
- Increased housebuilding in the area warrants increased medical infrastructure; and
- Design is too functional, in the absence of lifts need a ground floor satellite building, need large open garden area for a Marquee to provide mass vaccinations, access should have a one way system with a roundabout in front of the building.

One letter of no objection was also received asking whether lifts and disabled parking spaces are to be provided, how residents will cross Barnham Road to access the site and how the surgery will recruit sufficient staff.

COMMENTS ON REPRESENTATIONS RECEIVED:

The applicant states that it is not possible to provide a direct path or link to the residential scheme on the adjacent land as the layout for that site has not been yet defined, nor even submitted as yet. A link further afield to the Fontwell Avenue site would not be achievable either due to distance and other private

properties in between.

The current main focus for the doctors is the new surgery building. The fit trail is not currently implemented and part of this site will be used as temporary storage for the construction of the surgery. Any implementation of this would be after the medical centre is completed but there is no certainty that it will be implemented within the approved period and should a new application be required then this could include details of access between the sites.

No details of the catchment area has been provided but the submission does state that the practice list size is projected to reach 21,000 patients by 2027 due to housing development allocated in the local plan within the practice's catchment and this means that the existing surgery would be 57% undersized.

There is no evidence that the provision of a new pharmacy in this location will result in the closure of the pharmacy in the centre of Barnham. The Five Villages Pharmacy currently operate the pharmacies at both Barnham and at the existing Croft Medical Centre. However, if one has to close then this would be for commercial reasons and therefore separate to the planning process.

There is no indication of the future plans for the existing surgery but this would be subject to a separate application unless proposed to be reused for medical purposes under the same use class. Access issues are considered in the conclusions.

The letters of support/no objection are noted and it should be noted that the plans do show lifts and also 8 disabled spaces in the car park. The recruitment of staff is not a planning consideration.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

NATURAL ENGLAND - no objection. State that:

"Natural England notes that your authority, as competent authority, has undertaken an Appropriate Assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process.

Your Appropriate Assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions. This is providing that all mitigation measures are appropriately secured in any planning permission given."

SOUTHERN WATER - no objection subject to a condition to secure the foul drainage details.

WSCC HIGHWAYS - no objection subject to conditions to secure the vehicular access, visibility splays, car parking spaces, cycle parking/storage, electric vehicle charging spaces and a travel plan. Comment that:

- No concerns were raised to the previous applications;
- The access allows two vehicles to pass each other and the visibility splays are appropriate;
- Trip generation is based on the previous application figures but this is acceptable given that any more

recent data data would be skewed by the effects of Covid-19;

- The proposed surgery is likely to generate 70 two-way vehicular trips during the weekday AM peak hour, and 52 in the PM peak hour; a net increase of 11 arrivals and 7 departures in the AM peak and 5 arrivals and 7 departures in the PM peak which is not considered to be a more intensive use;
- A Road Safety Audit identified 4 problems. These have been responded to by the Designer and WSCC raise no concerns;
- No concerns with the parking provision of movement of larger vehicles within the site; and
- No concerns with sustainability as the surgery is adjacent to the existing and cycle parking will be provided.

WSCC FIRE & RESCUE - no objection but request a condition to secure 1 fire hydrant on the site.

ADC DRAINAGE ENGINEERS - no objection subject to conditions. Comment that:

- Groundwater monitoring and infiltration testing has been undertaken to support the application;
- The Drainage Strategy Statement proposes to dispose of surface water via infiltration, initially via permeable paving (which provides treatment and slow rates of infiltration) and then to deeper soakaways in the south parking area and driveway (where infiltration rates are more favourable); and
- This strategy is appropriate however some details require further detailed design and modification including the inclusion of the climate change allowance to account for future storm events.

ADC LANDSCAPE OFFICER - no objection subject to a landscaping condition which shall also specify biodiversity enhancements. States that there are no physical, visual, historical or cultural links, protected landscapes, scheduled ancient monuments, listed buildings, conservation area or Historic Parks or Gardens associated with this site. New tree and hedge planting would be required to infill sections where there are gaps and missing sections.

ADC ENVIRONMENTAL HEALTH - no objection subject to conditions to secure electric vehicle charging points, secure a soil gas risk assessment and control construction hours.

COUNCILS ECOLOGIST - no objection subject to conditions to protect/enhance the eastern boundary, provide habit enhancement across the site, secure a bat friendly lighting scheme, provide bat/bird/hedgehog nesting opportunities, search the site for hedgehogs prior to construction and secure the construction site to prevent harm to small mammals.

No responses from NHS, WSCC Minerals & Waste Safeguarding, ADC Tree Officer or ADC Economic Development.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and conditions applied.

POLICY CONTEXT

Designations applicable to site:

Within the Built Up Area Boundary;
No Public Sewer;
Tree Preservation Order (TPO/EG/1/17);
Area of Special Control (Adverts);
Lidsey Treatment Catchment Area;
CIL Zone 2;

Within 12km of the Singleton & Cocking Tunnels Special Area of Conservation;
 WSCC Mineral Consultation Area (Sharp Sand & Gravel);
 Within 500m of WSCC Waste Consultation Area (Sussex Recovery Centre, Fontwell Avenue); and
 Current & Future Flood Zone 1.

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM1	ENV DM1 Designated Sites of Biodiversity or geographical imp
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
ENVSP1	ENV SP1 Natural Environment
GISP1	GI SP1 Green Infrastructure and Development
HWBSP1	HWB SP1 Health and Wellbeing
INFSP1	INF SP1 Infrastructure provision and implementation
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QEDM3	QE DM3 Air Pollution
QEDM4	QE DM4 Contaminated Land
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP1A	SD SP1a Strategic Approach
SDSP2	SD SP2 Built-up Area Boundary
SODM1	SO DM1 Soils
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WSP1	W SP1 Water
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management

Barnham & Eastergate Neighbourhood Plan 2014 Support for new medical facilities
POLICY CLW2

Barnham & Eastergate Neighbourhood Plan 2014 Applications for new development must meet the
 POLICY ES1 local drainage requirements

Barnham & Eastergate Neighbourhood Plan 2014 Quality of design
 POLICY ES5

Barnham & Eastergate Neighbourhood Plan 2014 Contribution to local character
 POLICY ES6

Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES8	Buildings should be designed to reflect the three-dimensional qualities of traditional buildings
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES10	Trees and hedgerows
Barnham & Eastergate Neighbourhood Plan 2014 POLICY GA1	Connection to sustainable transport
Barnham & Eastergate Neighbourhood Plan 2014 POLICY GA4	Parking and new development
Barnham & Eastergate Neighbourhood Plan 2014 POLICY H1	Specific site allocation

PLANNING POLICY GUIDANCE:

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

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
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.

The relevant policies of the Barnham & Eastergate Neighbourhood Development Plan (BENDP) are considered within this report. It is also necessary to have regard to the emerging BENDP Review Plan (BENDP2) which is currently at regulation 16 stage and therefore a material consideration in the determination of applications. It is considered to have low weight at this time but this will increase as the Plan progresses towards adoption. Its policies are referred to where appropriate.

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 is considered to both comply and conflict with the Development Plan policies in that it is within the built up area boundary as defined by the Arun Local Plan but is also high grade agricultural land. The proposal would also have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area and would provide a medical centre much needed by current and future residents.

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

It is considered that there are other material considerations to be weighed in the balance with the Development Plan and these are set out in the conclusions section.

CONCLUSIONS

NEED & BENEFITS:

It is understood that the existing surgery building was purpose built in 1992 to the maximum specification of the NHS red book guidelines and was intended to serve a total practice list of 6,500 people. On the previous application (in 2017) it was stated that the practice list was almost 11,275 people and this will have likely grown since. There has also been an increase in services offered by the surgery due to NHS guidelines on primary versus secondary care. The submission states that the practice list size is projected to reach 21,000 patients by 2027 due to housing development allocated in the local plan within the practice's catchment and this means that the existing surgery would be 57% undersized.

The Croft Practice is further impacted by shortfalls in its current estate with a lack of administrative and storage space which has necessitated the use of Portacabins since 2002 and also insufficient car parking for all staff and patients. It was previously stated that the existing surgery building is stated to be severely cramped with a floor area of only 300sqm, well below the recommended requirements for modern GP surgeries, and this severely impacts upon service delivery for patients. Furthermore, it is understood the current surgery does not fully comply with the Disability Discrimination Act (DDA).

The proposed building will enable full compliance with the DDA, will meet the needs of the existing patients and will also allow for the expected future demand to be met with a medical centre suitable for up to 15,000 patients. The new facility would also be suitable for 7 days working should that be necessary (or allowed) in the future.

The key benefits of the development will be the creation of a modern day primary care facility, fit for purpose and future proofed, with the aim of improving access to the practice population to a wide range of medical services, with appropriate shifts of secondary to primary care work to be delivered closer to home, and in line with the NHS plan. The surgery will also be capable of absorbing the increase in people expected from the future large scale development on the Barnham, Eastergate & Westergate (BEW) residential site allocation.

PRINCIPLE:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states applications should be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises the Arun Local Plan 2011-2031 (ALP), the Barnham & Eastergate Neighbourhood Development Plan (BENDP), the South Inshore & South Offshore Marine Plan and the West Sussex Waste and Minerals Plans.

Section 38(5) of the Planning and Compulsory Purchase Act 2004 states: "If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document". As such, any conflict between the ALP and the older BENDP would be resolved in favour of the ALP. This is important as the site lies in the built up area boundary (BUAB) as defined by the ALP but countryside as defined by the BENDP.

As such, development here is acceptable in principle in accordance with ALP policy SD SP2 provided it is in accordance with other policies of the Local Plan covering such issues as character/design, residential amenity, drainage, highway safety/parking, trees/landscape, biodiversity, minerals/waste and agricultural land.

In addition, it should be noted that BENDP policy CLW2 supports new medical facilities in the area and that ALP policy INF SP1 supports development proposals which provide or contribute towards the infrastructure and services needed to meet the needs of the community. In particular, the postamble text to CLW2 states that: "There is no medical provision in Barnham. Resident surveys have shown concerns about increased waiting times at GP surgeries and the pressure on services when the additional approved housing is built."

It is noted that the main part of the site forms a small part of a larger site allocation for at least 60 homes as designated by the BENDP. This site allocation subsequently had planning permissions on parts of it for residential development (EG/71/14/OUT & EG/6/18/RES) and recreational space associated with the medical centre (EG/4/19/PL). However, the residential permission has not been implemented and has expired (as is confirmed by the BENDP2). Permission was also granted under EG/57/16/PL on the current application site for a medical surgery in conflict with the residential allocation policy. The emerging BENDP2 does not maintain the previous residential allocation but instead proposes the land associated with it and also the surgery site as being within the BUAB.

AGRICULTURAL LAND:

According to the "Provisional Agricultural Land Classification" layer on Defra's Magic website (<https://magic.defra.gov.uk/home.htm>), the site likely falls in Grades 1 or 2. The more detailed "Post 1988 Agricultural Land Classification (England)" layer shows that land to the east of the Surgery is Grade 2. The plan within the emerging BENDP2 suggests that the land is actually Grade 1. Regardless, it is clear that the site has potential as agricultural land.

ALP policy SO DM1 states unless land is allocated, then the use of Grades 1, 2 and 3a of the Agricultural Land Classification for any form of 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. However, the policy preamble to SO DM1 states the supporting documents are only required for proposals involving the permanent loss of one hectare or more. There are no relevant BENDP policies but the BENDP2 has policy ES14 which has similar wording to SO DM1.

The application site is less than one hectare and therefore the supporting documentation is not required. However, in the interest of protecting and re-using soils within the site, the application states that the top soils will be relocated to the adjacent site to the north and with excess soil to be removed off site if required.

The proposal complies with the policy on the grounds of the urgent need for the new surgery and that the proposal will result in significant benefits to the community & economy thus outweighing the loss of a relatively small area of land that is not currently used for agriculture.

MINERALS & WASTE SAFEGUARDING:

The site is located in a Sharp Sand and Gravel Mineral Safeguarding 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.

The application does not provide a Mineral Resource Assessment or provide a response to this policy. Furthermore, WSCC Minerals and Waste have not responded to the consultation request. Notwithstanding, it is considered that there is an overriding need for the proposal and that this outweighs the safeguarding of the minerals. Furthermore extraction of minerals from the site would not be practicable due to the small site area and the presence of existing residential and medical development adjacent. As such, there is no conflict with the policy.

The site is also located within a defined 500m buffer of a safeguarded scrap vehicle waste site defined by the West Sussex Waste Local Plan (2014). Policy W2 of this Plan states that development should not prevent or prejudice the use of an existing waste management site. The waste site in question is currently in use as a car salvage centre. The application site is a significant distance away from this and there are residential uses and a main road in between. There will be no impact and therefore no conflict with this policy.

TRAFFIC, ROAD SAFETY & PARKING:

ALP policy T SP1 seeks to ensure development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport. It states schemes must explain how development has been designed to: (i) accommodate the efficient delivery of goods and supplies; (ii) give priority to pedestrian and cycle movements and have access to high quality public transport facilities; (iii) create safe and secure layouts for traffic, cyclists and pedestrians whilst avoiding street clutter.

T SP1 states proposals must incorporate appropriate levels of parking taking into consideration the impact of development on on-street parking. Policy T DM1 requires new development be located in easy access of established non-car transport modes/routes, contribute to the improvement of such routes & facilities and contribute towards provision of a joined-up cycle network and Public Rights of Way network.

HWB SP1 states that new health facilities should be located along public transport corridors that are easily accessible to members of the wider community. Similarly, BENDP policy GA1 states that new developments should integrate with the current green infrastructure network and provide access to public and community transport, to connect with the social, community and retail facilities of the villages.

Para 110 of the NPPF states: "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Para 111 states "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

The advice of WSCC Highways is summarised above. They are satisfied the proposal will not result in an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network therefore the proposal is not contrary to the NPPF, and there are no transport

grounds to resist the proposal. The application has been subject to a Road Safety Audit (RSA) which identified certain issues and these have been considered by the Designer as follows:

- (a) Gradient of the access junction with risk of vehicles rolling forwards into Barnham Road - the detailed design of the access junction includes a flatter section to avoid the issue;
- (b) There is a northbound bus-stop located a short distance to the south of the proposed access, but no existing crossing point for visitors to the Medical Centre to cross Barnham Road - the revised access junction arrangement illustrates a dropped kerb crossing point located between the access and the bus stop.
- (c) There is no hardstanding at the northbound bus stop which is located within a verge area and is therefore a slip hazard - The revised access drawing illustrates an indicative area of hardstanding on the exiting verge to aid passengers departing the bus; and
- (d) There is a risk that increased movements to the new Medical Centre could exacerbate an existing road safety problem - the road safety data was reviewed and it was found that the issues were not with the surgery access. The new surgery will include additional signage so that users are aware of its location prior to arriving.

WSCC Highways have agreed all of the RSA matters and confirm that the off-site improvements will be secured through a s278 Agreement.

The proposed site is appropriate given that it is adjacent to the existing surgery, is on a main road served by public transport and there is pedestrian pavement on both sides of this road allowing for connections to other parts of the built up area.

The Arun Parking Standards SPD does not give parking standards for medical facilities instead stating that this will be determined by a site specific assessment based on a travel plan and needs. WSCC Highways have assessed the proposed provision (44 visitor spaces including 8 disabled bays, a rear staff car park of 28 spaces and two larger drop off spaces for ambulances/taxis) and raise no objections. In addition, a Travel Plan has been provided and there will be sufficient cycle parking on the site as secured by a condition.

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

DESIGN & CHARACTER:

ALP policy D DM1 requires the Council to make the best possible use of land by reflecting or improving on the character of the site and the surrounding area. It is necessary that development demonstrates a high standard of architectural principles, use of building materials and hard and soft landscaping to reflect the local area. The policy requires the scale of development keep within the general confines of the overall character of a locality. ALP policy D SP1 "Design" requires development to make efficient use of land and reflect local character.

BENDP policies ES5, ES6 and ES8 (Buildings are all relevant and set out requirements for high quality design, the early integration of building features & details and development that reflects the design & character of surroundings.

The Arun Design Guide provides detailed guidance to help raise design standards across the district. Developments should respond to the distinctiveness and characteristics of their surroundings in terms of scale massing and materials, protect the amenities of occupants and neighbours and seek to minimise energy consumption and improve environmental performance. There are no specific references within the Design Guide to medical/health facilities but the Guide does provide general advice on new building

form and layout. The submitted Design & Access Statement sets out the reasons for the chosen layout/building form and provides detailed analysis of the site & surroundings.

The new medical centre would be predominantly two storeys in height with a parapet style flat roof. The exception is an aluminium louvred raised plant area protruding above the northern part of the roof. The majority of the building will be around 7.7m high with the raised section adding a further 1.5m. The building includes a canopy on the front as well as a smaller "Brise Soliel" to the pharmacy elevation. Materials will be subject to approval through a condition but are indicated to be brickwork at two levels with bands of relief panels and textured brickwork.

The proposed site is adjacent to existing residential development to the west and south with the existing surgery in part to the east. Residential properties in Collins Close, to the west, are two storey and those that were permitted on the site to the east were also two storeys. The scale of the surgery would be in keeping with these and it would not appear as an overly dominant feature in the area. The change to the roof form (flat rather than pitched) as compared to the previous scheme would be out of character but this is acceptable as the site has limited visibility from public roads and the building is set back from the site boundaries. Furthermore, a pitched roof could increase visibility from public viewpoints.

The building will also be fairly centrally located within the site thus providing space to the site boundaries, minimising visual harm to surrounding development and ensuring space for landscaping. The proposed building can be satisfactorily accommodated on the site without adversely affecting the visual amenities of the locality. The building design is considered to be functional but also visually interesting, particularly noting the irregular shaped canopy on the front.

The proposal is therefore in accordance with the relevant development plan policies and guidance.

RESIDENTIAL AMENITY:

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 Arun Design Guide sets out guidance on garden depths and 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; and
- Back to Boundary: min. 12m between habitable rooms and site boundary to existing landscaping.

There are no standards given for either side to side or front to back.

Whilst the Design Guide is predominantly aimed at new residential development, the above interface distances should still be applied as new windows have the potential to look at/into the windows of existing residential properties. However, the proposed building will be 22m from the flank of no 8 Collins Close and 35m from the rears of nos. 9 & 10 thus clearly exceeding the required interface distances.

The site benefits from good existing tree screening on the eastern side with some sporadic trees also on the western boundaries. The application also proposes to plant a number of trees to the northern, western and southern boundaries which will, in time, screen and soften the building when viewed from nearby residential properties.

The proposed car parking would be sited right up against the side boundary of no. 11 Collins Close with about 2.5m between the spaces and the flank wall at the closest point. However, small trees are

proposed along this boundary and this will mitigate noise arising from vehicle movements to an acceptable level. The distance between the car parking spaces and the boundaries of properties on Cherry Tree Drive to the south is greater at 5-6m.

The hours of opening for the surgery referred to in the application form states 7am-8pm Mon to Fri and 9am-4pm on Saturdays with no opening on Sundays/Bank Holidays. Hours are unknown for the proposed pharmacy but this is likely to have similar hours being as it is interconnected with the surgery use and so is not likely to be open after the surgery has closed. A condition was imposed on the previous permission to restrict overall opening hours to those times specified in the application. and there is no reason not to impose the same condition again. These hours would reduce activity and noise generated from the site at evenings and weekends when residents would normally expect to be able to enjoy the peace and quiet.

The previous permission was also subject to a condition to prevent the use of the southern car park after 7pm in order to protect residents. Such a condition would continue to be relevant but in view of the proposed opening between 7 and 8 pm, it is proposed to modify the condition to also allow for partial closure of the areas closest to residential properties should that be preferable for operational reasons.

The access into the site is adjacent to residential properties on the western side but this is an existing access to a staff car park, will have low vehicle speeds and there is a 4m buffer between the road and the boundary allowing scope for landscaping to mitigate any road noise.

Overall, the proposal is in accordance with the relevant development plan policies.

LIGHT POLLUTION:

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. BENDP2 policy ES16 seeks to control new lighting to preserve existing dark skies.

A condition is proposed to require full details of lighting proposals. This will ensure that new lighting is directed away from residential properties, does not point upwards towards the sky and is also directed away from the eastern boundary to protect bat species. On this basis, there would be no conflict with the relevant policies.

LANDSCAPE & TREES:

ALP policy D DM1 states that development is expected to incorporate existing and new tree planting as an integral part of proposals. D SP1 also requires development proposals to reflect the characteristics of the site and local area in their landscaping.

ALP policy ENV DM4 requires that TPO protected trees, Ancient Woodland, those in a Conservation Area or trees that contribute to local amenity are not damaged or felled unless the developments meets the following criteria:

- a. tree loss is in the interests of good arboricultural practice;
- b. tree loss would enhance the survival & growth prospects of other protected trees;
- c. the benefits outweigh the loss of trees or woodland, especially ancient woodland.

BENDP policy ES10 states that development that damages or results in the loss of ancient trees or trees or hedgerows of arboricultural and amenity value will not be supported. Proposals should retain these.

The application proposes to remove 9 trees, one of which is a category B but the rest are category C. These trees are predominantly adjacent to the existing access or at the junction with Barnham Road and are required to provide the necessary access improvements. Two small category C trees to be removed are within the site area and would otherwise prevent development of the staff car park.

The Councils Tree Officer has not responded to this consultation but it is material that the layout of the road is the same as it was on the previous application which had been approved but has since expired. At that time, the Tree Officer was only concerned as to the impact of the proposed road layout on the Root Protection Area (RPA) of the protected Oak Tree on the eastern side of the site (within neighbouring land).

In response, the applicant amended the road layout slightly to mitigate this impact. This was not considered by the Tree Officer to be sufficient but the application was nonetheless approved by the Planning Committee on the basis that the significant benefits of the proposal would outweigh the harm. Standard tree protection conditions will be imposed in order to secure the tree protection scheme set out in the supporting documentation.

The proposal includes an indicative landscaping scheme (precise details will be secured by a condition) which proposes 40 new specimen trees, new mixed native hedges along the site perimeter, wildflower planting and a wellness garden for staff and visitors. The Councils Landscape Officer raises no objections to the proposal.

Overall, it is considered that the proposal is in accordance with ALP policies D DM1, LAN DM1, ENV DM4 and with BENDP policy ES10.

BIODIVERSITY:

ALP policy ENV DM5 states development schemes shall seek to achieve a net gain in biodiversity and protect habitats on site. They shall incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitat. Paragraph 180 of the NPPF is relevant and states that if significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort, compensated for, permission should be refused.

The site is in the 12km buffer zone for the Singleton and Cocking Tunnels Special Area of Conservation. Policy SD10 of the South Downs National Park Local Plan states development proposals on greenfield sites or in close proximity to woodlands and hedgerows should ensure key features (foraging habitat and commuting routes) are retained.

There are no relevant policies in the BENDP however policy ES15 in the emerging BENDP2 requires that development demonstrate biodiversity net gain. In addition, emerging policy ES17 seeks to protect bats within the 12km buffer zone of the SAC.

The application is accompanied by an Ecological Assessment which also comprises of a detailed reptile survey. This concludes that:

- the most notable habitats recorded on the site comprise the hedgerow and trees on the eastern site boundary;
- the site was assessed as having suitability for supporting foraging and commuting bats, badger, hazel dormouse, breeding birds, and hedgehog;
- adverse impacts on these ecological features have been identified and appropriate mitigation measures proposed including sensitive working hours and methods during the construction phase, implementation

of protective fencing along the eastern site boundary and a sensitive lighting strategy post development in relation to bats; and

- the site will be enhanced through provision of new bat roosting features, new hedgerow planting and bolster planting, new tree planting and landscaping, provision of bird nest boxes and creation of natural hibernacula.

The Council's Ecologist raises no objection to the proposed development. The Council has prepared an Appropriate Assessment as per the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended). This determines that subject to the recommended conditions, the proposal will not result in any significant adverse effects upon the Singleton and Cocking Tunnels SAC or the bat species associated with the site and functionally linked habitats. Natural England have reviewed this assessment and advise that they concur with the conclusions of Arun's Appropriate Assessment.

The retention and enhancement of the existing eastern boundary planting also ensures compliance with South Downs policy SD10 and BENDP2 policy ES17.

Although the proposal results in the loss of 9 existing trees, the scheme indicates new landscaping including hedges and around 40 new trees. This therefore achieves a net gain in biodiversity on its own. However, the various proposed mitigation/enhancement measures will also be secured by conditions thus ensuring further biodiversity net gain.

The proposal complies with ALP policy ENV DM5, the relevant emerging BENDP2 policies, South Downs policy SD10 and the NPPF para 180.

CONTAMINATION:

ALP Policy QE DM4 states that development will be permitted on land that is contaminated as long as remediation is provided. Environmental Health have raised no objections to the submitted contamination survey reports but request that a soil gas assessment is secured by a condition. With this condition in place, any risk can be identified and remediated. An additional condition is included to require remediation should any unforeseen contamination be discovered when developing the site. As such the proposal will be in accordance with the policy.

SURFACE WATER DRAINAGE:

The site is not affected by any current or future flooding from rivers/sea. ALP policy W DM3 requires all development identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS), appropriate to the size of development, at an early stage of the design process. BENDP policy ES1 requires that development reduce the overall level of flood risk in the area and that conditions be imposed to ensure an effective surface water drainage scheme.

A drainage strategy has been submitted and proposes to dispose of surface water via infiltration, initially via permeable paving and then to deeper soakaways in the south parking area and driveway. Engineers consider this to be appropriate but that conditions are still required to secure the detailed design and account for modification of the proposed scheme to address future climate change.

There is no conflict with the relevant policies.

FOUL DRAINAGE:

The site falls in the Lidsey Wastewater Treatment Catchment Area. ALP policy W DM1 states that all major developments must demonstrate, that adequate drainage capacity exists or can be provided as

part of the development. Where adequate capacity does not exist, there will be a requirement that facilities are adequately upgraded prior to the completion and occupation of development. Policy W DM1 also states that a drainage impact assessment is required for all major development.

The application states that the foul flows generated by the new building will be collected in underground pipework around the footprint of the building and then discharged to the existing main sewer on Barnham Road. It is stated that the British "Flows and Loads 4" guidance suggests 450 l/person/activity/day for a 'small hospital', which is the closest description within the guidance for a medical centre. It is expected that the flows generated from the development will not exceed the capacity for a 150mm diameter pipe. Southern Water raise no objections to this proposal but require the approval of details by condition.

Despite being raised in pre-application discussions, the supporting statements do not acknowledge the Lidsey Treatment Catchment designation and so there is conflict with the policy. However, it is material that neither Southern Water nor ADC Drainage Engineers raise any objections regarding the impact of foul or surface water discharge in the Lidsey area. The benefits of the scheme would also outweigh the conflict with this policy.

ENERGY AND CLIMATE CHANGE:

ALP policy ECC SP2 requires that all new residential and commercial development be energy efficient and incorporate decentralised, renewable and low carbon energy supply systems. ECC SP1 requires that new development be designed to adapt to impacts arising from climate change. The supporting Design and Access Statement states that:

- The plans have been subject to a BREEAM sustainability assessment;
- The building will achieve a minimum of a BREEAM rating of 'Excellent', whilst also aiming for the challenging target of 'Outstanding';
- A fabric first approach has been explored from the early design stages, taking into account full thermal modelling and life-cycle carbon assessments.
- The proposals will make use of a structural column and beam system with non load bearing walls allowing for maximum flexibility of the building through its life span;
- The building will feature photovoltaics on its flat roof and the designs also feature sustainable urban drainage solutions with permeable surfacing, infiltration basins and swale features in collaboration with the landscape design to also benefit the visual amenity of the users of the building.

Much of these are inherent in the design of the scheme however a condition will be imposed to ensure that either at least 10% of the energy supply is from decentralised/renewable/low carbon energy sources or the same saving is achieved through a fabric-first approach. In addition, a condition will be imposed to secure details of electric vehicle charge points. On this basis, it is considered that the proposal complies with policies ECC SP1 and ECC SP2.

SUMMARY:

The provision of an enlarged medical centre is much needed within the local area to cater for existing and future demand. It will provide a significant social and economic benefit to the local community. These benefits are important material considerations to which great weight can be attached and as such outweigh the limited policy conflicts identified above. The application is recommended for approval subject to the following conditions.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may

arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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

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

CIL DETAILS

This application is not liable for CIL.

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 Plan 9226-P001 Rev A;
 Block Plan 9226-P002 Rev A;
 Proposed Site Plan 9226-P004 Rev H;
 Proposed Wider Site Plan 9226-P013 Rev A;
 Landscape Masterplan 957-MP-01 Rev C;
 Proposed Access Arrangement and Visibility Splays 2011094-01 Rev C;
 Axonometric Ground and First Floor 9226-P005 Rev C;
 Proposed Ground and First Floor Plans 9226-P005 Rev H;
 Proposed South and East Elevations 9226-P006 Rev C;
 Proposed North and West Elevations 9226.P007 Rev C;
 Bay Study Elevation and Section 9226-P014 Rev A;
 Site Sections 9226.P010 Rev A;
 Proposed Roof Plan 9226.P009 Rev A;

Perspective Entrance 9226-P011 Rev C;
Design and Access Statement May 2021; and
Proposed Access Arrangement and Visibility Splays 2011094-01 Rev C.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies QE SP1, D DM1, ENV DM5, T SP1 and T DM1 of the Arun Local Plan.

- 3 The development hereby approved shall be implemented in accordance with the precautionary approach, mitigation measures and other enhancements as set out in the approved Ecological Impact Assessment July 2021 plus those items listed below. These measures shall be implemented in full and permanently adhered to throughout the development to the satisfaction of the Local Planning Authority.

- The site must be searched carefully before works begin. If any small mammals including hedgehogs are found they should be relocated away from the construction area into surrounding suitable habitats.
- Any brush piles, compost and debris piles on site could provide shelter areas and hibernation potential for hedgehogs so these piles must be removed outside of the hibernation period mid-October to mid-March inclusive. The piles must undergo soft demolition.
- Any trenches, pits or holes should be covered overnight, or a means of escape made available and any hazardous chemicals need to be suitably stored away so animals cannot access them.

Reason: To mitigate harm during construction to bats, birds, badgers & small mammals, reptiles and other wildlife species in accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

- 4 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 noisy work (defined as not involving any machinery/plant) on Sunday or Bank/Public Holidays. In addition, there shall be no external working an hour before, during and an hour after sunset and sunrise even if those times fall within the above time periods.

Reason: To protect the amenity of local residents and on-site biodiversity in accordance with policies ENV DM5, QE SP1 and QE DM1 of the Arun Local Plan.

- 5 All activity at the site is to be carried out in strict accordance with the "Arboricultural Development Statement" CBA11469 v1, May 2021.

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.

Reasons: To comply with BS5837 and policy ENV DM4 of the Arun Local Plan 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. This is required to be a pre commencement condition because it is necessary to ensure that trees are fully protected before the ground is disturbed and works commence.

- 6 Before the site is occupied or any machinery is introduced to the site or demolition work or construction work or alterations to existing ground levels takes place a PRE-

COMMENCEMENT Site Meeting is to take place between the Planning Authority's Tree Officer and the Arboricultural Expert representing the site owner(s) - at this meeting all protective fencing and ground protection measures will be inspected to verify they are 'Fit for Purpose' as required under British Standard 5837:2012 and have been erected and positioned exactly as shown on the Tree Protection Plan ref CBA11469.02 TPP 919/05/21) which itself is Appendix CB3 to the "Arboricultural Development Statement" CBA11469 v1, May 2021. A schedule of Site Monitoring/Supervision visits and Reporting Procedures prepared by an Arboricultural Expert will be required and their extent will be agreed on at the site meeting to the satisfaction of the Planning Authority's Tree Officer

Reasons: To comply with BS5837 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. This is required to be a pre commencement condition because it is necessary to ensure that trees are fully protected before the ground is disturbed and works commence.

- 7 Prior to the commencement of construction works details of a proposed foul drainage system shall be submitted to and approved in writing by the Local Planning Authority (including details of its siting, design and subsequent management / maintenance) and the building shall not be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details.

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

- 8 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. No part of the building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

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

- 9 Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and strategy that the building owners will replace components of the drainage system as required and or recommended within the annual maintenance report, completed by a suitably competent drainage company. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

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

arrangements for the surface water disposal scheme are agreed before construction commences.

- 10 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the National Planning Policy Framework) unless it can be demonstrated that a fabric-first approach would achieve an equivalent energy saving. Details and a timetable of how this is to be achieved for each phase or sub phase of development, including details of physical works on the site, shall be submitted to and approved in writing by the Local Planning Authority before any development in that phase or sub phase begins. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter.

Reason: In order to secure a reduction in the use of energy at the site in accordance with national planning policy and policy ECC SP2 of the Arun Local Plan. This is required to be a pre-commencement condition because the approved measures may need to be built into the fabric of the buildings.

- 11 No development shall commence until a mitigation and management method statement has been submitted to and approved in writing by the Local Planning Authority to provide details of how those retained hedgerows are to be protected during construction. This will be secured by fencing around the retained hedgerows during construction, maximised to the edge of the construction works. The development shall thereafter proceed in accordance with the approved hedgerow protection measures.

Reason: Bats and dormice use hedgerows for foraging, habitat and commuting and therefore in accordance with the NPPF and policy ENV DM5 of the Arun Local Plan. This is required to be a pre-commencement condition because the hedgerow protection scheme must be in place prior to construction starting.

- 12 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including full details (in plan and list form) of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development.

The proposed landscape scheme will need to maximise the biodiversity of the site with the inclusion of habitat enhancements benefiting foraging & commuting bats including the inclusion of new areas of woodland or scrub planting; the use of a range of native tree/shrub species, the filling in of any gaps in existing hedgerows using native hedge species, establishment of new native hedgerows along the boundaries to increase commuting potential into the wider landscape native species and the retention of a variety of habitats. In addition, grassland areas should be managed to benefit reptiles, wildflower meadow planting should be used and any trees that are lost should be replaced on a 2:1 basis.

The approved details of the landscaping 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 policy D DM1 of the Arun Local Plan.

- 13 No development above damp proof course (DPC) level shall take place unless and until a biodiversity enhancement plan has been submitted for approval in writing by the Local Planning Authority. The plan shall be based on the measures identified in the approved Ecological Impact Assessment July 2021 and also include the following specific requirements:

- the placement of at least 1 bat brick and at least 1 bird box. The bat brick shall be situated facing south/south westerly and positioned 3-5m above ground and the bird box should face towards existing foraging habitat such as trees/hedges.
- the placement of at least 2 hedgehog nesting boxes within the natural parts of the site to provide future nesting areas for hedgehogs.
- placement of log piles on the site.
- the use of fencing (where required to external boundaries) that allows for through movement by badgers and hedgehogs.

There may be some crossover between these requirements and those of the landscaping plan and so it would be acceptable to combine the two together into one drawing together with the necessary supporting details. The approved details shall be implemented in full and permanently retained thereafter.

Reason: To mitigate harm to bats, birds, badgers & small mammals, reptiles and other wildlife species in accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

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

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 policies D SP1 and D DM1 of the Arun Local Plan.

- 15 No development above damp proof course (DPC) level shall take place unless and until details of the proposed location of one fire hydrant or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) has been submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service. The fire hydrant shall then be provided in the approved location to BS750 standards and at the applicants own expense prior to the first occupation/use of the building. The applicant shall and arrange for connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

The fire hydrant shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner/occupier if the installation is retained as a private network.

Reason: In the interests of amenity and in accordance with policies INF SP1 and TSP1 of the Arun Local Plan and The Fire & Rescue Service Act 2004.

- 16 The development shall proceed in accordance with the recommendations of the 'Soils Limited Preliminary Investigation Report' (March 2021) and the 'Soils Limited Main Investigation Report' March 2021) and prior to the first occupation/use of the new surgery, the applicant shall submit a soil gas risk assessment for approval in writing by the Local Planning Authority.

Reason: To protect the amenity of local residents in accordance with Arun Local Plan policies QE SP1 and QE DM4.

- 17 No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled Proposed Access Arrangement and Visibility Splays and numbered 2011094-01 Rev C.

Reason: To ensure a fit-for-purpose access constructed to appropriate design and safety standards in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 18 No part of the development shall be first occupied until visibility splays of 2.4 metres by 43 metres have been provided at the proposed site vehicular access onto Barnham Road in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 19 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To ensure that adequate provision for the parking and turning of vehicles is provided for the development in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 20 No part of the development 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 by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with Local Plan policies T SP1 & T DM1 and the National Planning Policy Framework.

- 21 Prior to first use of the proposed development, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved unit shall be submitted to the local planning authority for approval and thereafter implemented in accordance with the approved details and the charge points shall thereafter be retained and maintained in good working condition.

Reason: New petrol, diesel and hybrid cars/vans will not be sold beyond 2030, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun Parking Standards SPD and the National Planning Policy Framework.

- 22 Upon the first occupation/commencement of use, the Applicant shall implement the measures incorporated within the approved travel plan. The Applicant shall thereafter monitor, report and subsequently revise the travel plan as specified within the approved document.

Reason: To encourage and promote sustainable transport in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 23 Prior to the occupation of any part of the development, full details of all new external lighting (including type of light appliance, the height and position of fitting, predicted illumination levels

and light spillage) shall be submitted to and approved in writing by the Local Planning Authority. This submission should also cover new streetlighting if required. The scheme should seek to conform with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (GN01:2011) but also minimise potential impacts to any bats using the trees and hedgerows by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. In particular, there should be no external lighting that illuminates the eastern hedgerow. The lighting approved shall be installed and maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats), the interests of minimising crime, road safety and to minimise unnecessary light spillage outside the development site in accordance with policies QE SP1, QE DM2, T SP1 & ENV DM5 of the Arun Local Plan.

- 24 The building shall be used as a class E(e) medical centre with ancillary class E(a) pharmacy of 131.1m² and for no other purpose (including any other purpose in Class E of the Schedule to the Town & Country Planning (Use Classes) (Amendment) (England) Regulations 2020 or any other Statutory Instrument revoking, re-enacting or amending these regulations).

Reason: To enable the Local Planning Authority to maintain control in the interests of the amenities of surrounding residential properties and to safeguard the future provision of medical facilities in accordance with Arun Local Plan policies D DM1, QE SP1 and INF SP1.

- 25 The development hereby approved shall not normally be used for patients other than between the hours of 7am and 8pm on Monday to Friday and 7am to 4pm on Saturdays with no opening on Sundays or Bank Holidays.

Reason: To ensure that the proposed development does not prejudice the amenities of neighbouring residential properties in accordance with Arun Local Plan policies D DM1, QE SP1 and QE DM1.

- 26 Prior to the opening of any part of the approved Medical Centre, a scheme shall be submitted to, and approved in writing by the Local Planning Authority detailing measures to either prevent usage of the whole of the southern visitor parking area, or if not appropriate, to restrict usage of those parts of it that are close to residential properties, after 19:00 hours on Monday to Saturday. The agreed measures shall thereafter be implemented and unless otherwise agreed in writing with the Local Planning Authority, permanently retained thereafter.

Reason: To ensure that the proposed development does not prejudice the amenities of neighbouring residential properties in accordance with Arun Local Plan policies D DM1, QE SP1 and QE DM1.

- 27 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

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.

- 28 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal

against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

29 INFORMATIVE: The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

30 INFORMATIVE: The development shall be carried out in accordance with the 'Arun District Council Construction Code of Practice: For small developments in Arun', available from:

<https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n12193.pdf&ver=12201>

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

32 INFORMATIVE: If during construction works, it becomes apparent that implementation of the approved drainage scheme cannot be carried in accordance with previously agreed details any resubmission of the drainage design must be accompanied by an updated copy of the management manual.

33 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, 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.

34 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.