

Recommendation Report for Outline Consent

REF NO:	BR/142/18/OUT
LOCATION:	Richmond Arms 224 London Road Bognor Regis PO21 1AU
PROPOSAL:	Outline application with all matters reserved for the demolition & conversion of existing public house (with residential accommodation to 1st floor) to form up to 10 No. residential flats over a maximum of 3.5 storeys.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks permission for the principle of a redevelopment of the existing public house. The application is in outline with all matters reserved and as such there are no firm details as to what the eventual flatted development will be. However, the description of development makes it clear that there will be some element of demolition and conversion and that the resultant building will be up to 3.5 storeys accommodating up to 10 flats. The supporting planning statement states that the total floor space of the redevelopment would likely be in the region of 600m2. An indicative block plan is included as an appendix to the planning statement however, this provides very little detail.
SITE AREA	289 square metres (0.0289 hectares).
RESIDENTIAL DEVELOPMENT DENSITY	10 flats would equate to 346 dwellings per hectare.
BOUNDARY TREATMENT	Open boundary to the front and northern side. Railway to the rear. The southern side boundary is formed of a brick wall, circa 2.4m high.
SITE CHARACTERISTICS	Large two storey white smooth rendered public house building. Double fronted (fronting east & north). Parapet wall roof with shallow pitched roof behind (clay tiles). Single storey flat roofed addition on southern side. Small 48m2 yard area on the southern side. No off-street parking.
CHARACTER OF LOCALITY	Predominantly residential and predominantly two storeys in height. Edge of centre and backing onto the railway line. Mix of detached, semi-detached and terraced. No purpose built flatted buildings in the immediate locality. However, some existing dwellings such as on the opposite side of Richmond Road North have been subdivided into flats. On-street parking on Richmond Road North is either 2 hour max stay pay & display or resident permit only.

Neighbouring properties consist of:

- To the east are the rear/side elevations of houses that either front onto London Road or onto Upper Bognor Road;
- To the north are the fronts of 1 & 3 Upper Bognor Road with a deciduous tree partially in between; and
- On the opposite side of the railway line is a locally listed signal box building.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

"OBJECTION. Based on the limited information made available with the outline application, in particular the lack of plans, Members were minded to object. There was concern that the footprint suggests that the development will encroach onto the pavement causing obvious problems to pedestrians. Members felt that parking on London Road is already overstretched so, if the application were to proceed, they would recommend a one-way traffic system be introduced along with herringbone parking. Members also felt that 10 No. residential flats was over-development with the maximum set at 8, with a bin store and external fire escape included in any plans."

LOCAL RESIDENTS:

7 letters of objection. Concerns as follows:

- (1) Too many flats - should be 8 not 10;
- (2) Loss of local landmark pub;
- (3) Parking on Richmond Road North is already oversubscribed;
- (4) How much parking required;
- (5) New structure will be oppressive to Railway Cottages & the rears of buildings fronting London Road opposite;
- (6) How high will the building be;
- (7) How will the foul drains cope;
- (8) Where would the bins be sited;
- (9) No details of new fencing;
- (10) Application red edge cuts through community land to the north of the pub; and
- (11) Insufficient detail.

COMMENTS ON REPRESENTATIONS RECEIVED:

TOWN COUNCIL:

The following comments are offered:

- It is acknowledged that there is a lack of detail however, the applicants are allowed to submit an outline application with all matters reserved. It is therefore for the local planning authority to consider only the principle of development - and those matters relating to the principle;
- A further permission will be required to agree the details of the proposal including bin storage & a fire escape;

- This is a highly sustainable edge of centre location such that future residents will not need a car to access key services, facilities and public transport;
- WSCC Highways have responded and do not concur with the need for a one-way system; and
- The application now proposes "up to 10 flats" therefore a lesser number could be proposed at the reserved matters stage.

LOCAL RESIDENTS:

The following comments are offered in response to the local resident objections:

- (1) The application now proposes "up to 10 flats" therefore a lesser number could be proposed at the reserved matters stage;
- (2) Noted. This will be considered in the conclusions section;
- (3) & (4) Parking will be considered within the conclusions section;
- (5) Noted however, the application is not accompanied by any design/appearance/scale details therefore no assessment can be made of the impact of the resultant building;
- (6) The application states the building will be up to 3.5 storeys high but scale is a reserved matter and will be considered on a future application;
- (7) Foul drainage is considered in in the conclusions section;
- (8) & (9) These would be matters to be considered on the future reserved matters application;
- (10) The applicant will only be able to develop on land which they own. Furthermore, in the absence of any contradictory ownership information, it has to be assumed that the red edge is correct; and
- (11) It is acknowledged that there is a lack of detail however, the applicants are allowed in planning law to submit an outline application with all matters reserved. It is therefore for the local planning authority to consider only the principle of development - and those matters relating to the principle.

CONSULTATIONS

Highways England
Network Rail
WSCC Strategic Planning
Natural England
Surface Water Drainage Team
Environmental Health
Southern Water Planning
Economic Regeneration
Sussex Police-Community Safety
Engineers (Drainage)
Engineering Services Manager
NHS Coastal West Sussex CCG

CONSULTATION RESPONSES RECEIVED:

NETWORK RAIL - No objections. States that the developer must ensure that their proposal, both during construction and after completion of works on site, does not:

- encroach onto Network Rail land
- affect the safety, operation or integrity of the company's railway and its infrastructure
- undermine its support zone

- damage the company's infrastructure
- place additional load on cuttings
- adversely affect any railway land or structure
- over-sail or encroach upon the air-space of any Network Rail land
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

Also request that the developer comply with the a series of comments & requirements for the safe operation of the railway and the protection of Network Rail's adjoining land. These are set out on the Council's website and relate to future maintenance, drainage, plant & materials, scaffolding, piling, fencing, lighting, noise & vibration and vehicle incursion.

NATURAL ENGLAND - No objection providing that appropriate mitigation is sought in respect of the impact of the proposal on the Pagham Harbour Special Protection Area and RAMSAR site. Also, do not consider that the proposal will harm any local sites of Special Scientific Interest (SSSI's)

HIGHWAYS ENGLAND - No objections.

SOUTHERN WATER - No objections. Requires that the developer make a formal application for a connection to the foul or surface water sewers. Request that an informative be added to this effect.

SUSSEX POLICE - No objections. Provide security/anti-crime comments in respect of bin & cycle storage and the delivery of mail.

WSCC HIGHWAYS - No objections subject to a condition to secure a construction management plan. Comment that:

- The posted speed limit is 30mph;
- The site is well supported by good pedestrian infrastructure;
- Footways on either side of the road link to other parts of the town centre and adjacent to the site is a footbridge over the railway line - this provides a safe and quicker walking route to the west of the town;
- Car parking is not proposed within the development and as such will be restricted to on-street parking bays;
- These are located outside the pub; and offer a 2 hour parking limit for visitors; and residents permit scheme;
- As such WSCC are satisfied with the parking proposals for the use;
- Cycle storage will be provided in stores located in an area to the front of the building; and
- The train station and bus stops, are within walking distance - these provide a range of sustainable travel options and accords with the NPPF guidance for sustainable developments and current CHIT guidance.

WSCC FLOOD MANAGEMENT - No objection with the following comments:

- Current surface water mapping shows the proposed site is in area which is at high risk from surface water flooding;
- This risk is based on modelled data only and should not be taken as meaning that the site will/will not definitely flood in these events;
- A wholesale site level rise via the spreading of excavated material should be avoided;
- The area of the proposed development is shown to be at moderate/high risk from ground water flooding based on the current mapping;
- There are no records of historic flooding within the confines of the proposed site;
- Current Ordnance Survey mapping shows no ordinary watercourses in close proximity of the proposed development area; and

- Recommends a pre-commencement style surface water drainage condition.

ADC DRAINAGE ENGINEERS - No objection. State that the proposed site is within an area of surface water flood risk and that finished floor levels should be raised as required to remain above predicted flood levels. Requests that standard condition ENGD2A is imposed - soakaways must be investigated for surface water disposal.

ADC ENVIRONMENTAL HEALTH - No objections in principle. However, do have significant reservations about the noise environment within the proposed flats and consider that this would need further attention in any detailed planning application. When a detailed application is submitted, Environmental Health would expect to see the premises designed to ensure that non-habitable rooms are facing the noisiest facades (in this case the railway) and as such, provide a buffer to protect the habitable rooms. Also state that it is likely at the point of detailed application that Environmental Health would require a 'noise testing before first occupation' type condition to be applied.

COMMENTS ON CONSULTATION RESPONSES:

All comments noted.

Members may wish to note that it is not necessary to seek agreement of the applicant to pre-commencement conditions on outline applications.

POLICY CONTEXT

Designations applicable to site:

Within the Built Up Area Boundary;
 Pagham Harbour Zone B;
 Flood Zone 1 (low risk from rivers or seas);
 Within 2km buffer of Felpham SSSI;
 Within 2km buffer of Bognor Regis Reef SSSI;
 WSCC Mineral Consultation Area (Alderton's Yard Waste Site);
 Within 15m of Railway;
 Area of High Surface Water Flooding Risk; and
 Adjacent to two Buildings/Structures of Character (Signal Box on Longford Road & Public Footbridge over the railway line).

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ENVDM2	ENV DM2 Pagham Harbour
HERSP1	HER SP1 The Historic Environment
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
QEDM1	QE DM1 Noise Pollution
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
HSP1	HSP1 Housing allocation the housing requirement

EMPSP2	EMP SP2 Economic Growth Areas
TSP1	T SP1 Transport and Development
TDM1	T DM1 Sustainable Travel and Public Rights of Way
WSP1	W SP1 Water
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management
WSW2	West Sussex W2 Safeguarding Waste Management Sites

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

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

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

The Neighbourhood Development Plan

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

There are no relevant Bognor Regis Neighbourhood Plan policies.

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 comply with relevant Development Plan policies in that it is located within the built up area boundary, also located within a highly sustainable location, that there are no policies in the development plan to protect public houses and that drainage & noise issues can be overcome through conditions either to be imposed now or on the future reserved matters application.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE:

The site lies within the built up area boundary where development is acceptable in principle in accordance with policy SD SP2 of the Arun Local Plan (ALP) and provided it is in accordance with other policies of the Local Plan covering such issues as loss of commercial floorspace, heritage assets, drainage, noise and highway safety & parking.

Regard should also be had to policy SD SP1 of the ALP which states that: "When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework." It is considered that the site is in a highly sustainable edge of centre location within easy walking and cycling distance of a range of shops, facilities and services including bus stops, a large food superstore and the railway station. Whilst the private car could be required for some longer distances, future residents would not need to rely on a car to be able to live comfortably.

It is also noted that paragraph 118 (d) of the NPPF states that "Planning policies and decisions should: promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing".

The proposal seeks permission for the principle of the conversion or demolition of the existing public house to create up to 10 flats within a building of up to 3.5 storeys. Therefore, there is no current guarantee that the development will house 10 flats or be 3.5 storeys high. This will depend upon other factors to be agreed through an assessment of design and space standards within a future reserved matters application. There are not considered to be any valid reasons to refuse the principle of such a development.

LOSS OF THE PUBLIC HOUSE:

There are no current development plan policies to protect against the loss of a public house in this edge of centre location.

It is noted that the site lies within the Bognor Regis Economic Growth Area and as a result ALP policy EMP SP2 is relevant. However, although this policy directs knowledge & cultural based employment as well as retail, leisure and office development to the economic growth areas, it does not provide any protection to existing public houses within the designation.

The policy does state that new development within the town centre must respect the character of the local area but design is a reserved matter and as there are other flats and residential dwellings nearby, there can be no in principle character objection to a flatted development.

ALP policy RET DM1 sets out policy on retail development within town centres. However, it does not provide any protection to existing public houses.

The National Planning Policy Framework (NPPF) only states that public houses should be protected where they are in rural areas. Paragraph 92 does require that decisions plan positively for the provision and use of community facilities including public houses. However, this does not imply any form of protection to such facilities.

Although not a requirement of policy, the applicant has provided a Public House Viability Statement.

This is available in full on the Councils website and concludes that the premises are outdated, have no off-street parking facilities and realistically has no viable or sustainable future with the present use. The report also considers that the building has limited architectural merit and limited viable refurbishment potential for the current or alternative commercial use. The report concludes that there would be no reason for advertising the premises for sale as pub and that complete redevelopment to residential would provide for a more sustainable and beneficial use of the site.

It is therefore not considered that there is any reason to withhold consent on the basis of the loss of the public house/commercial use.

IMPACT ON NEARBY BUILDINGS OF CHARACTER:

The site is immediately adjacent to two Buildings/Structures of Character. ALP policy HER DM2 provides protection to such built features but only in respect the alteration of the building/structure or loss of the building/structure itself. The proposal will not alter or result in the loss of either of these two locally listed built features. Therefore, there is no conflict with policy HER DM2.

HIGHWAY SAFETY & PARKING:

Arun Local Plan policy T SP1 seeks to ensure that development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network. In respect of highway safety, it states that:

"The Council will support transport and development which: Explains how the 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."

In respect of parking, policy T SP1 states that:

"The Council will support transport and development which: incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking"

In addition, policy T DM1 requires that new development be located within easy access of established non-car transport modes/routes and also seek to contribute to the improvement of such routes & facilities.

Paragraph 108 of the NPPF states that: "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". Regard should also be had to paragraph 109 which states that: "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."

WSCC Highways have assessed this application and consider that there are no grounds to raise an objection on the matters of highway safety and parking. In addition, it is considered that the site is in a highly sustainable edge of centre location within easy walking and cycling distance of a range of shops, facilities and services including bus stops, a large food superstore and the railway station. Whilst the private car could be required for some longer distances, future residents would not need to rely on a car to be able to live comfortably. Therefore it would be appropriate to allow a reduction in the parking

requirements of the developments. Elsewhere in the town centre area, a nil parking requirement has been accepted for residential development.

It is therefore considered that although access is a reserved matter and that although the exact parking requirements cannot be calculated at this time (due to there being no details of the number of bedrooms per flat), a nil parking provision would be acceptable if off-street parking cannot be provided within the site. WSCC Highways comments are such that the scheme can be supported on that basis. The principle of the proposal is therefore in accordance with ALP policies T SP1 & T DM1 and it not considered to have an unacceptable impact on highway safety, or a severe cumulative impact on the road network.

NOISE POLLUTION TO FUTURE OCCUPIERS:

Policy QE DM1 of the Arun Local Plan states that:

"Residential development likely to experience noise from road, rail or air, ... must:

- a. Be supported by a noise exposure category (NEC) assessment and designed to ensure that residents will not be adversely affected by noise.
- b. Consider both the likely level of exposure at the time of application and any increase that might be reasonably expected in the foreseeable future."

The application includes such an assessment. This concludes that as there is no specific internal layout design for the proposed development, "Good Acoustic Design" is recommended. This would comprise using buffer-zones to protect habitable rooms from noisy facades by arranging the rooms accordingly so that bathrooms, kitchens and other non-habitable rooms such as hall-ways are the most exposed to sound levels. It is also recommends that the whole building should be orientated accordingly and that these methods are preferable in noise protection terms than just installing enhanced glazing and preventing windows from being opened.

This has been appraised by Environmental Health Officers who raise no objections in principle. They do consider that further attention to noise protection will be required at the detailed planning application stage. It is expected that the reserved matters application will ensure that non-habitable rooms are facing the noisiest facades (in this case the railway) and as such, provide a buffer to protect the habitable rooms.

On this basis, it is considered that the principle of development is in accordance with policy QE DM1 of the Arun Local Plan.

FOUL AND SURFACE WATER DRAINAGE:

As noted by the Council's drainage advisers the site lies in an area at high risk from surface water flooding.

Policy W DM2 of the Arun Local Plan states that development in areas at risk from flooding, will only be permitted where (f) new site drainage systems are designed to take account of events which exceed the normal design standard i.e. consideration of flood flow routing and utilising temporary storage areas. In addition, all development proposals must take account of relevant Surface Water Management Plans, Catchment Flood Management Plans and related Flood Defence Plans and strategies such as the Lower Tidal River Arun Strategy.

The application supporting surface water drainage statement states that:

- Based on the site geology, infiltration techniques are unlikely to be feasible for the site;
- There is no natural watercourse close to the vicinity of the site;
- It is proposed to discharge the surface water to the existing Southern Water network;
- All existing surface water that is combined in to the public foul drainage network will be disconnected;
- Through careful design it should be possible to reduce the existing impermeable area of the site by between 10-15%;
- It is possible that a high-level infiltration blanket, set above the groundwater table, may enable a permeable sub-base layer to act as temporary storage while the design storm rainfalls infiltrate
- At least some of the surface water from the existing hardstanding areas can be collected by permeable tarmac and roof areas can be collected via water butts with excess discharged using rainwater diffuser units; and
- The discharge point from the site could be to the existing Southern Water surface water manhole (6856) to the east of the site. The discharge rate will need to be agreed with Southern Water.

In respect of foul drainage, part 3 of Arun Local Plan policy W DM1 is relevant. It states that:

"Where surface water and foul water drainage systems are approved as part of the consideration of a planning application, conditions may be imposed upon the permission relating to dates for implementation or other detailed technical requirements."

The application supporting foul drainage statement states that

- The proposed private foul water drainage will be designed to comply with the Building Regulations 1991 Part H and Sewers for Adoption 7th Edition;
- Discharge from the upper levels of the development will be collected via soil vent pipes to ground level;
- It is proposed to discharge to an existing Southern Water foul water sewer using existing connection, subject to survey, or a new connection to manhole (6803) to the north of the site; and
- The discharge rate will need to be agreed with Southern Water.

Neither the Councils drainage advisers nor Southern Water raise any objection to the proposals. It will be a requirement that finished floor levels be raised as required to remain above predicted flood levels. Furthermore, the detail of the drainage strategy will be considered by condition.

It is therefore considered that the scheme is in accordance with Arun Local Plan policy in respect of foul and surface water drainage.

PAGHAM HARBOUR:

The application is accompanied by a signed legal agreement relating to a payment of £7,839 towards the mitigation of the impacts of the development on the Pagham Harbour Special Protection Area.

Arun Local Plan policy ENV DM2 states that all new residential developments within a 400m to 5km distance ('Zone B') of Pagham Harbour make a financial contribution towards the provision of accessible natural open green spaces to serve the area. A contribution of £1,275 per new residential unit was agreed by the Councils Cabinet on 20 July 2015. The report to Cabinet stated that:

"The access management measures identified are referred to as Strategic Access Management and Monitoring (SAMMs). As these do not include the allocation of specific land, they are not classified as physical infrastructure, and are not included under the definition of infrastructure within Section 216 of the Planning Act 2008, meaning the pooling restrictions as set out under Regulation 123 of the CIL Regulations (2010) as amended, does not apply. It is common practice by many other authorities (for

example Elmbridge) that contributions towards SAMMs are gathered through S106 planning obligations. This approach has also been confirmed within Counsel advice sought by the Council. As a contribution is required to make the development acceptable in planning terms, it is therefore in compliance with the tests under Regulation 122 of the CIL Regulations (2010) as amended"

The Councils Cabinet subsequently approved a reduction in the tariff from £1,275 to £871 as of the 10th April 2017.

The application site lies within the designated Zone B and accordingly it was necessary to apply this requirement. The net increase of nine dwellings resulted in a contribution of £7,839 at the current rate and it is this that is secured by the signed legal agreement. If the future reserved matters application was to propose less than ten dwellings, a lower payment would be required and a refund would be issued through an appropriate legal mechanism.

SUMMARY:

The proposed development is considered to represent an efficient use of a currently under-utilised urban brownfield site and there is no objection in principle to the development. All other matters are reserved for a future application however, this assessment considers that there will not be any future objections in respect of foul/surface water drainage, highway safety, heritage assets, parking or the protection of future occupants from railway noise.

The recommendation to approve is therefore made subject to the following conditions and the signed S.106 legal agreement.

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 granted in conjunction with a Section 106 legal agreement relating to a contribution of £7,839 towards Pagham Harbour Access Management Mitigation Measures.

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

- 1 The permission hereby granted is an outline permission under s92 of the Town and Country Planning Act 1990 (as amended) and an application for the approval of the Local Planning Authority to the following matters must be made not later than the expiration of 2 years beginning with the date of this permission:-

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

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

- 2 The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

- 3 The development hereby approved shall be carried out in accordance with the following approved plans:

Location Plan (Jan 2010) Job Number RA; and
Site Plan (Jan 2010) Job Number RA.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy SD SP2 and D DM1 of the Arun Local Plan.

- 4 Unless otherwise agreed in writing with the Local Planning Authority, the development permitted by this planning permission shall only be carried out with finished floor levels set above the predicted surface water flood levels.

Reason: As requested by drainage engineers due to the site being located within an area of surface water flood risk and to reduce the risk of flooding to the proposed development and future occupants all in accordance with Arun Local Plan policy W DM3 and the National Planning Policy Framework.

- 5 Development shall not commence 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, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.

No 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 the site lies in an area of high risk from surface water flooding and therefore, it is necessary to implement the agreed surface water drainage so that it is ready for when the flats are occupied.

- 6 No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
- the provision of hoardings to the site if required,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area in accordance with policies T DM1, D DM1 and QE SP1 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to have the site set-up agreed prior to access by construction traffic.

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

- 8 INFORMATIVE: Drainage Engineers advise that 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 BRE 365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 30% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest

recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Supplementary guidance notes are available on our website <https://www.arun.gov.uk/surfacewater> and are also available on request.

9 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to a financial contribution of £7,839 towards the Pagham Harbour Access Management Mitigation Measures.

10 INFORMATIVE: Please note the following comments of Sussex Police's Designing Out Crime Officer in respect of cycle storage, bin storage and mail boxes:

- For (internal) bicycle storage within the building, the external door must be fit for purpose and have access control;
- However, if there is internal access to the living accommodation, the internal door must meet specifications within PAS24:2016;
- The bicycle store must be separated from the bin store with a floor to ceiling sturdy wall or dividing construction;
- If there is no internal access to the cycle store the external door must have access control including an internal thumb turn to allow a person who may become accidentally trapped to release the door lock from the inside;
- The cycle store must also be illuminated with movement activated vandal resistant lighting;
- These recommendations also apply to the internal bin store;
- The postal arrangements for the flats should be through the wall, external or lobby mounted secure post boxes; and
- Letter apertures within the flats' front doors should not be considered.

11 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 our New Connections Services Charging Arrangements documents which is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.

12 INFORMATIVE: Please note the following advice from Council Environmental Health Officers:

- The Noise and Vibration Assessment (Acoustic Associates, J2473, 11/6/18) states that if windows are kept closed and appropriate glazing/mechanical ventilation is put in place, BS8233 will be met;
- However, with windows open, BS8233 will not be met either during the day or the night-time;
- Further, for any bedrooms on the railway facade, glazing capable of RRAIL = 45dB would need to be provided to satisfy the night-time L_{Amax} requirements of the ProPG;
- ProPG states that Good Acoustic Design is appropriate in cases such as this, where acoustic design and orientation of the building should be considered as a fundamental part of the design process, and not just an add-on at the end;
- When a detailed application is submitted, Environmental Health would expect to see the premises designed to ensure that non-habitable rooms are facing the noisiest facades (in this case the railway) and as such, provide a buffer to protect the habitable rooms; and
- It is also likely at the point of detailed application that Environmental Health would require a 'noise testing before first occupation' type condition to be applied.

- 13 INFORMATIVE: Please have regard to the comments made by Network Rail on 03 August 2018 in respect of Future Maintenance, Drainage, Plant & Materials, Scaffolding, Piling, Fencing, Lighting, Noise & Vibration and Vehicle Incursion as set out in their consultation comments present on the Council's website. Network Rail also strongly recommends that the developer contacts AssetProtectionKent@networkrail.co.uk prior to any works commencing on site, and also to agree an Asset Protection Agreement with us to enable approval of detailed works. More information can also be obtained from their website at <https://www.networkrail.co.uk/communities/lineside-neighbours/working-by-the-railway/>