

Recommendation Report for Outline Consent

REF NO: CM/37/18/OUT

LOCATION: Mistletoe Farm
Horsemere Green Lane
Climping
BN17 5QZ

PROPOSAL: Outline application with some matters reserved for the redevelopment of site with 2 no. 4-bed detached bungalows & associated works (resubmission following CM/10/18/OUT). This application is a Departure from the Development Plan.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is in outline form, with all matters other than access reserved for further applications. Indicative plans show 2 detached bungalows, with their associated works.
SITE AREA	Approximately 0.33 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	13 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	One tree indicated as T40 in the tree constraints plan is protected under TPO/CM/1/18.
BOUNDARY TREATMENT	Northern boundary, post and rail timber fencing approximately 1.4m high. Rear and side boundaries enclosed by varying hedging and fencing approximately 2-4m high.
SITE CHARACTERISTICS	Proposed properties are indicated to be located on garden land to a detached single storey dwelling. The dwelling has red brick quoin and rendered elevations, hipped red tiled roof with gable sections. Integral double garage. Flat roof section to the rear of the dwelling. 2 sheds and a greenhouse within site for the proposed properties.
CHARACTER OF LOCALITY	Residential properties to the east and west of the site. To the west are shallow pitched roofed detached bungalows. Open fields to the north of the site.

RELEVANT SITE HISTORY

CM/10/18/OUT	Application for Outline planning permission with some matters reserved for redevelopment of the site with 1 No. 4-bed detached bungalow, 1 No. 3-bed detached chalet bungalows & 2 No. 3-bed semi-detached bungalows & associated works. Departure from the Development plan	Refused 28-09-18
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CM/10/18/OUT was refused as it would represent an unacceptable encroachment of built form into the countryside. This was because the number of proposed dwellings would result in an overdevelopment of the site, which was at odds with the character and appearance of the locality.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Climping Parish Council

Parish Council - No objection provided that the Officer is satisfied that:

- The proposed dwellings do not overlook or adversely affect the privacy of properties in the locality.
- The concerns of the Arun Tree Officer regarding the previous application on the site CM/10/18/OUT have been addressed.
- The character and appearance of the local area are not compromised.

Following discussion with the case officer the Parish later confirmed that they were satisfied that there were no objections.

15 letters received. 4 letters of support, 1 letter of no objection and 10 letters of objection.

Support

- Happy to see tasteful, quality homes in the village.
- No reason not to approve, given the location.
- Development of brownfield land.

No objection

- No objection to the application.

Objection

- The land is supposed to be a minor road. There is traffic all day.
- The road is used as a shortcut.
- Local people walk their dogs on the roadside verge, which is dangerous.
- There will be an increase in traffic.
- There is potential loss of privacy.
- There will be a loss of trees and wildlife.
- Site is outside B.U.A.B, and therefore, the application is a departure from the development plan.
- Destroys visual amenity.
- Development sets a precedent.
- No infrastructure provided.
- Dangerous entry/exit onto Horsemere Green Lane.

COMMENTS ON REPRESENTATIONS RECEIVED:

All matters raised by objections are addressed in the conclusion section.

CONSULTATIONS

Parks and Landscapes

Engineering Services Manager

Engineers (Drainage)
Arboriculturist
WSCC Strategic Planning
Environmental Health
Southern Water Planning
Arboriculturist
Arboriculturist
Ecology Advisor

CONSULTATION RESPONSES RECEIVED:

The Council's Arboriculturalist -

The Council's Arboriculturalist initially requested further information. They were consulted a second time stating the following:

The project Arboriculturalist's Lizard Landscape Design Ltd have submitted a revised AIA, AMS and Tree Retention and Protection Plan (TRPP) to reflect the required changes. The AIA makes early reference to the initial (superceded) TRPP which is unfortunate as the rest of the document is supportable. It is important for all to note that the latest TRPP as described in conditions below is the ultimate and defining plan that instructs the process on-site.

I am now able to remove my objection and recommend APPROVAL for this scheme, subject to the following conditions being applied:

- All activity at the site is to be carried out in strict accordance with: - Arboricultural Impact Assessment and Method Statement, Ref: LLD1394-ARB-REP-001, Rev 02, 25-Jan-2019 (Lizard Landscape Design Ltd).
- 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 Arun DC Tree Officer and the Arboricultural Expert representing the site owners - at this meeting all protective fencing will be inspected along with any ground protection measures - they will be assessed to verify that they are 'Fit for Purpose' as required under British Standard 5837:2012 and have been erected and positioned exactly as shown on the Tree Retention and Protection Plan ref: LLD1394-ARB-DWG-002, Rev02.
- 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 above site meeting to the satisfaction of the Arun DC Tree Officer.
- 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 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.

- Where whole branches are to be removed and final cuts made close to the trunk or branch union they are to be made as shown in Figure 2 of BS3998:2010
- Where branches are to be shortened back the final cuts are to be made at the correct angle shown in

BS3998:2010 and adjacent to a live bud or lateral.

Reasons: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice.

W.S.C.C Highways -

The LHA does not considered that the proposal would have a 'severe' impact on the operations of the Highway network, therefore, is not contrary to the National Planning Policy Framework, and that there are no transport ground to resist the proposal.

- Access

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 approved drawing.

Reason: In the interests of road safety.

- Car parking space

No part of the development shall be first occupied until the car parking spaces have been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide car-parking space for the use.

- Cycle parking

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 submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

The Council's Drainage Engineers -

Please apply ENGD2B, ENGD4A, ENGD6A.

It is believed that there is a culverted ordinary watercourse along Horsemere Green Lane. The exact location of this should be investigated, and discussed with us at the earliest opportunity. Soakaways must be investigated for surface water disposal.

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 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location.

Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Supplementary guidance notes are also enclosed for information.

Southern Water -

As a result of the presence of a foul sewer on the site, Southern Water should be contact prior to works on site. It may be possible to divert the foul sewer, so long as this would result in no unacceptable loss of hydraulic capacity, and this work was carried out at the developers expense.

Southern Water go on to state criteria which must be met if the diversion of sewer lines was required.

In order to divert drainage apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission. For example, "The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to divert the public sewers, prior to the commencement of the development."

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent:

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 has now been published and is available to read on our website via the following link: <https://beta.southernwater.co.uk/infrastructurecharges>.

Environmental Health -

No comments.

Ecology - Council consultant

Bats

Due to the potential for roosting bats within tree T38, this tree must be retained and protected during the construction works. If this is not possible then further bat surveys on this tree would be required.

The lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding.

Reptiles

We are happy that a precautionary approach can be undertaken on the site for reptiles. This involves any removal of scrub, grassland or ruderal vegetation to be done sensitively and done with a two phased cut

Nesting Birds

Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time an ecologist will need to check the site before any works take place (with 24 hours of any work).

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Outside built up area boundary.

DEVELOPMENT PLAN POLICES

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

TSP1	T SP1 Transport and Development
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
WDM3	W DM3 Sustainable Urban Drainage Systems
ENVDM4	ENV DM4 Protection of trees
DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
CSP1	C SP1 Countryside

[Clymping Neighbourhood Plan 2015 Policy CPN11](#) Quality of Design

Clymping Neighbourhood Plan 2015 Policy CPN14 Traffic and the Environment

Clymping Neighbourhood Plan 2015 Policy CPN12 Reducing the risk of flooding

Clymping Neighbourhood Plan 2015 Policy CPN8 Protection of Trees and Hedgerows

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans. The Arun Local Plan was adopted on 18th July 2018.

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.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

The Clymping Neighbourhood Plan has been made and the relevant policies have been taken into account in the consideration of this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal is considered to conflict with relevant Development Plan policies in that the site lies outside the built-up area boundary where development or redevelopment is unacceptable in principle and is not considered to accord with policy CSP1 of the Local Plan.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background. These are that the proposal does not result in material harm to the character or appearance of the area and represents an acceptable form of development in this location adjacent to existing development.

CONCLUSIONS

PRINCIPLE

The site is outside of the built up area as defined in the Local Plan and as such the development plan in the determination of this application will consist of the Arun District Local Plan (ALP) 2011 - 2031 and the Clymping Neighbourhood Plan.

Arun District Local Plan (2011-2031):

The key policy considerations in the determination of this application are considered to be SD SP1, SD SP2 and C SP1 of the Arun Local Plan (ALP) 2011 - 2031. Policy C SP1 states that 'Outside the Built-Up Area Boundaries (as identified on the Policies Maps) land will be defined as countryside and will be recognised for its intrinsic character and beauty.'

The application site is situated outside of the built up area boundary (BUAB) as specified by policy SD SP2 which seeks to focus development within the built up area. Policy Due to the sites location outside of the BUAB development in this location would be in conflict with locational requirements of policy C SP1 of the Arun Local Plan 2011 - 2031.

The NPPF (July 2018) states:-

2. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Therefore as the development conflicts with an up-to-date Local Plan and there are no material considerations to indicate otherwise a recommendation for refusal would be compliant with the NPPF.

Conclusion on Matters of Principle:

The principle of residential development on this site is contrary to the development plan (Arun District Local Plan policy C SP1 and the intention of the ANDP to protect countryside and make provision for housing on identified sites policies HD1 & HD2).

The proposed development would provide an additional 2 houses which are not required in the District at the present time due to the 5.3 year housing land supply. The development would have a small positive effect upon the supply of housing. However there are other relevant material considerations which need to be taken into account.

MATERIAL CONSIDERATIONS

The NPPF generally seeks to promoting effective use of all land (para 117) and gives weight to proposals that develop under-utilised land (para 118(d)). Whilst outside of the defined BUAB, contrary to Policy C SP1, there needs to be a demonstrable harm to the aims of this policy. The aims of this policy are to preserve the character and beauty of the countryside and to manage the urban/rural fringe.

The application site is adjoined to the South, East and West by existing dwellings. To the North-East there is an industrial estate. The site is bordered by a road to the North. Therefore none of the sites boundaries are in open countryside use and the application site is bounded by built form. The impact on the character of the countryside, from the erection of 2 houses on the site is therefore acceptable. For these reasons, it is considered that there are other material considerations that would weigh in favour of granting planning permission, contrary to the principles of the development plan.

VISUAL AMENITY AND CHARACTER

Arun Local Plan policy D DM1 lists a series of 15 criteria that development must comply with - these include character where the policy states:

'1. Character

Make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping, and design features.'

Arun Local Plan Policy D SP1 - Design states:

'All development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details....' The policy requires that development proposals should reflect the characteristics of the local area by amongst other things in terms of its character and design.

Policy CPN11 of the Clymping Neighbourhood Plan seeks to ensure that proposed development is in keeping with its location so as to protect and enhance the character of the locality. Good design is considered to mean 'responding to and integrating with the local built environment and landscape context as described in the Clymping Character Assessment'.

CPNP in Appendix 1 identifies the application site as 'Horsmere Green Lane' where it states that 'most of the houses are detached with only smaller numbers of semidetached houses' and 'Wooldridge Walk/Mant Close (39 properties) differs in that it is exclusively three bedroom detached bungalows with rendered walls and tiled roofs built around a small open green space.'

It is also necessary to consider the guidance within the National Planning Policy Framework. Paragraph 124 states that high quality buildings and places are fundamental to the planning process. Paragraph 127 sets out 5 design criteria against which development proposals will be assessed including the need to be visually attractive and sympathetic to local character.

It is noted that the application is in outline and does not seek approval of layout or the design of the dwellings. However, the addition of 2 detached properties on the site will have an acceptable impact on local character.

The application site is sited to the South of Horsmere Green Lane, and it is indicated that the proposed development would be screened by the trees retained to all sides of the application site. As such, the proposed development is not considered to have any significantly harmful impact upon the street scene

of the locality.

Whilst it is acknowledged that the proposal is in outline form with only access seeking permission the proposal is for 4 dwellings with the indicative drawings depicting 2 detached 1.5 storey units with their own plot of external space, and a large communal area. The stretch of dwellings between Wooldridge Walk and Apple Tree Walk are sited comfortably within their respective plots, it is considered that the principle of the development in the site would resonate with this style of development, and be in harmony with what is existing in the area.

It is therefore considered that the proposal would be in accordance with policy D DM1 (1) and D SP1 of the ALP 2011 - 2031, policy CPN11 of the CNP and paragraphs 12 and 127 of the National Planning Policy Framework.

RESIDENTIAL AMENITY

Arun Local Plan Policy D DM1 (3) indicates that development will be permitted if it takes into account impact on adjoining occupiers, land, use or property. None of the WNP policies specifically refer to residential amenity issues.

The NPPF in paragraph 180 states that 'planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development - and avoid noise giving rise to significant adverse impacts on health and the quality of life;
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.'

Furthermore in paragraph 123 c) it states that 'when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).'

In this case the application does not seek permission for the layout, scale and appearance of the proposed units and without the appropriate associated plans the Council is unable to consider the impact on the residential amenities of the dwellings neighbouring the application site. If permission were to be granted by this application matters affecting the residential amenity of site and neighbouring occupiers would be assessed for any potential damage.

HIGHWAY SAFETY, & PARKING

Policy T SP1 of the Arun Local Plan 2011 - 2031 discusses transport issues including safe highway access.

Regard should be had to paragraph 109 of the National Planning Policy Framework 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.'

The application has been assessed by WSCC Highways. WSCC advice is that it is satisfied with the

proposed access, associated visibility splays and car parking provision.

It is not therefore considered that there is any conflict with the adopted development plan policies or with the NPPF.

DRAINAGE AND FLOODING

The Council's Drainage Engineers have been consulted on this application. It is believed that there is a culverted ordinary watercourse along Horsemere Green Lane. The exact location of this should be investigated, and discussed with the Council.

ECOLOGY

Policy ENV DM5 of the Arun Local Plan related to development and biodiversity. It states that development should seek to achieve a net gain in biodiversity and protect the existing habitats on site. Development should also seek to facilitate the emergence of new habitats. This can be done by a variety of different measures. Where there is evidence of an existing species on site, surveys should be undertaken, detailing the measures that will be incorporated in order to protect said species.

The comments from the ecologist state that, subject to conditions, there is no conflict with the policy.

TREES

The Arboriculturalist was re-consulted once the further requested information was received. The result was no objection to the application on Arboricultural grounds. However, a condition will be imposed at this stage requiring the submission of an Arboricultural Method Statement and Tree Protection Plan prior to commencement of any works to implement the development. This will have the effect of protecting the trees specified for protection prior to the submission of a reserved matter application covering landscaping matters.

SUMMARY

The application is outside of the defined built-up area boundary of Clymping. Policy C SP1 seeks to preserve the character and beauty of the countryside and to manage the urban/rural fringe. However, whilst outside of this defined B.U.A.B, in order for the proposals to be considered contrary to Policy C SP1, there needs to be a demonstrable harm to the aims of this policy. There are paragraphs in the NPPF that support the development of the site, in that paragraph 117 promotes the effective use of all land, and paragraph 118 gives weight to proposals that develop under-utilised land.

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

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.

RECOMMENDATION

APPROVE CONDITIONALLY

- 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;
- (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 - 1071/DPA11
- Plan showing Proposed Access - 1071/SK10 - Revision 1

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun District Local Plan.

- 4 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended 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.

- 5 The development shall not proceed until formal consent has been approved in writing from the Lead Local Flood Authority (WSCC) or its agent (ADC) for the discharge of any flows to watercourses, or the culverting, diversion, infilling or obstruction of any watercourse on the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1 and W DM2 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to protect existing watercourses prior to the construction commencing.

- 6 The development layout shall not be agreed until such time that arrangements for the future access and maintenance of any watercourse or culvert (piped watercourse) crossing or abutting the site has been submitted and approved in writing by the Local Planning Authority. No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities of any watercourse on or adjacent to the site.

Reason : To ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion, in accordance with Policies W DM1, W DM2 and W DM3 of the Arun Local Plan.

- 7 Prior to the commencement of the development an Arboricultural Method Statement and Tree Protection Plan shall be submitted to, and approved in writing by, the Local Planning Authority and the development shall be undertaken in strict accordance with the details so approved.

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

- 8 **INFORMATIVE:**
The developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to divert the public sewers, prior to the commencement of the development. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

- 9 **INFORMATIVE:**
This informative relates to ENGD2B, Condition 4.

Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method

and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.

- 10 INFORMATIVE:
This informative relates to ENGD4A. Condition 5.

Under Section 23 of the Land Drainage Act 1991 Land Drainage Consent must be sought from the Lead Local Flood Authority (West Sussex County Council), or its agent (Arun District Council - land.drainage@arun.gov.uk), prior to starting any works (temporary or permanent) that affect the flow of water in an ordinary watercourse. Such works may include culverting, channel diversion, discharge of flows, connections, headwalls and the installation of trash screens.

- 11 INFORMATIVE:
This informative relates to ENGD6A. Condition 6.

Reason : To ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion, in accordance with Policies W DM1, W DM2 and W DM3 of the Arun Local Plan.

- 12 INFORMATIVE:
Any potential lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding.

- 13 INFORMATIVE:
If there are any deep pits or holes onsite during the works there should be a secured plank within them to allow a means of escape of any animals.

- 14 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 has now been published and is available to read on our website via the following link: <https://beta.southernwater.co.uk/infrastructurecharges>.

- 15 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.

- 16 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.