

Report following a request for further information, negotiations or consultation

REF NO:	CM/48/21/RES
LOCATION:	Land to the West of Church Lane South of Horsemere Green Lane Climping
PROPOSAL:	Approval of reserved matters following the grant of CM/1/17/OUT for the erection of 300 No dwellings & a building within use class E, together with public open space, LAPs, LEAP & ancillary works, including car parking & drainage arrangements, with access off Church Lane & Horsemere Green Lane. This application may affect the setting of listed buildings & is in CIL Zone 4 (HSP2) & is not CIL Liable.

The application was presented to committee on 6 September 2023, where Members resolved to defer the application for the following reasons:

"To allow for further negotiations and conclusion on outstanding matters relating to LAP's and LEAPs and the potential harm caused to existing community assets."

The minutes confirm that the Committee wanted two issues addressed, these being:

1) The submission of the specific play provisions for each of the LAP's, LEAP and Fitness Trail; and
2) Any conflict between the existing community assets and the use of the proposed community building already granted at appeal under the outline consent CM/1/17/OUT.

1) The Section 106 agreement attached to the outline planning permission set out the provision of 14.38ha of open space/greenspace/landscaping including:

- 1 x locally equipped play area (LEAP) measuring a minimum of 400 sqm.
- A minimum of 6 Local Areas of Play (LAP) measuring a minimum of 100 sqm.
- Provision of a minimum of 6 pieces of equipment in the semi natural green space area to the west of the site to form a fitness trail.

Notwithstanding that the Section 106 agreement requires plans and details of the play equipment for each phase to be submitted to and approved by the Local Planning Authority, these details have now been provided and form part of the Reserved Matters application as requested by Committee.

The scheme would provide:

- 1 x locally equipped play area (LEAP) 569 sqm which exceeds the minimum of 400 sqm.
- 6 x Local Areas of Play (LAP) which range from 104 sqm (LAP 1, 2, 3, 5, & 6) to 233 sqm (LAP 4) all of which exceed the minimum of 100 sqm.
- Provision of a minimum of 6 pieces of equipment in the semi natural green space area to the west of the site to form a fitness trail.

The Climping Play Provision Booklet (Rev A) sets out the specific details for each LAP, the LEAP together with the Fitness Trail and furniture such as benches and bins and surface treatment.

The Parish Council have been consulted on the proposed play provision and has continued to raise an

objection to the proposed details stating, "that there are no significant changes with the provision of recreational facilities which remains inadequate given the size of the development".

As set out above the provisions proposed exceed the minimum requirements as set out in the Section 106 Agreement. Moreover, the application was not deferred to negotiate the 'size and/or the amount' of the play provisions but to provide the 'outstanding matters' in regard to the details of the play equipment proposed.

The Council's Landscape Officer notes that the 'Climping Play Provision Booklet (Rev A)' details a play strategy which tells a story and connects the play provision across the development. LAP's now include natural elements, seats and bins and have a connection with 'play on the way' which secures a theme to the LAP's as a collective, whilst providing individual and unique play spaces throughout the development.

It is further advised that the LEAP has been improved focusing now on inclusive and accessible play with a stronger unified offer. The play experiences now reflect an age appropriate scheme with varied and fun elements, accessible surfacing, seating, bin and signage.

The fitness trail has been improved and now provides a dedicated and challenging trail, which offers a good range of fitness features which will appeal to a broad range of users. The trail has incorporated seating and signage to inform users and encourage a prolonged use of the space. In addition, pathway finishes to primary routes have been confirmed as tarmac, which ensures all year round accessible access.

Based upon the updated information provided, the Council's Landscape Officer has confirmed that the play provision is now acceptable and recommends its approval.

Officer advice is that the the applicant has provided a significantly greater level of details than they were required to do through a reserved matters submission (as the details of play provision are required to be agreed through the s.106 agreement) and what is proposed exceeds the requirements of the outline permission and s.106.

2) There was some concern at the Committee that the proposed D1 community building and its usage would provide unreasonable competition with the existing Village and Church Hall uses within the immediate locality. The Parish Council are also concerned that the details provided show the building as an empty shell rather than functional space, lacking even basic essential facilities.

The principle of the community building was established by the Outline planning permission granted under reference CM/1/17/OUT following the appeal to the Planning Inspectorate. The provision of a community building has the benefit of planning permission already. As members will be aware, the only matters which remain open to consideration as part of this Reserved Matters approval are layout, appearance, scale and landscaping. Therefore, consideration of matters relating to the use of the buildings and the impact of the proposal upon existing community facilities is not material in the determination of this application.

Comments from the Parish as to the absence of details provided for the internal layout of the community building are noted and this was intentional as the end user is currently unknown and this would have a significant influence upon how the building would be laid out and even what facilities would be required internally. This approach is sensible and is supported by officers to allow flexibility and avoid additional costs being incurred by future occupiers amending the internal layout of the building.

Officers have discussed this issue with the Parish and the applicant has undertaken to carry out a

number of voluntary matters around marketing and layout. However, Committee need to be aware that these cannot be controlled through the planning process.

Further, the Parish have been consulted on these proposals on numerous occasions over the past 2 or 3 years and have not specifically sought to discuss the use of this building with the Council or applicants during this time. It was first raised as an issue at the September Planning Committee.

CONCLUSION

On the basis of the above both matters for deferral have now been resolved and it is recommended that this application is now approved subject to the below conditions.

REPORT UPDATE

Application No: CM/48/21/RES

Reason for the Update / Changes

REPORT UPDATE 13 DECEMBER 2023

Officer's are aware that a letter has been sent from Climping Parish Council to Members of the Planning Committee. The following issues were raised through this correspondence:

- i) That the Deferral Report is factually incorrect with the concerns in relation to play provision and community infrastructure having been raised previously by the Parish; and
- ii) That drainage should be a matter for discussion as part of this reserved matters submission as it pertains to layout.

Officer Comments

i) Arun Planning Officer's were unaware of any of these matters having been raised at the Yapton, Ford and Climping Advisory Group. Having reviewed the minutes and agenda for the meeting of 5 April 2022 officer's have noted that there was reference to concerns of competition between existing community buildings and the proposals. Also it should be noted that whilst not the same as the reason for deferral, concerns in relation to the size of the play area and viability of the community use were raised through the Parishes representation on the application.

ii) Matters of drainage were addressed as part of the report update for the Planning Committee on the 6 September 2023, as set out below at point 5. Officer's have no further comments on this as the principle of drainage being a pre-commencement matter was established by the Planning Inspector when determining the appeal for the outline permission. Officer's have previously provided a substantive response on this matter to the Parish through the Advisory Group.

Therefore, in line with the original report and update drainage is not a matter for consideration at this time and any conflicts between the drainage strategy and layout would be at the developers own risk and require regularisation.

REPORT UPDATE 6 SEPTEMBER 2023

Reason for Update/Changes:

1. Updated landscape comments were received (31/08/23) from the Council's landscape officer in response to the updated plans. The following comments were submitted:

- No objection to the location and size of the locally equipped area of play (LEAP), local area of play (LAP) and fitness trail. However, no details have been submitted for the equipment to be provided within the play/fitness areas.
- Pathways appear to be mown grass which are not all year round accessible or DDA compliant.
- Trees where shown located on made-up ground (mounds) are not considered to be conducive to establishment, these trees should be re-positioned locally to ensure they will thrive and are achievable of long term retention.

- Seats, litter bins, dog bins and cycle stands all need to be incorporated into a coherent and comprehensive landscape scheme across this development parcel.
- Maintenance responsibility should be confirmed in conjunction with the maintenance specification detail.

2. Ecology comments have been received (04/09/23) in response to the updated plans - No objection is raised subject to previous conditions.

3. It has also been noted that within the summary of consultation responses, some state 'No comment', just to clarify this does not mean that the Council has not received comments from that statutory consultee, it means that the consultee has responded but has provided no comments on the application.

4. Clarification has also been sought by members in regard to heritage impact and drainage. In regard to heritage, members are guided to the comments from the Council's conservation officer (19/11/21) which concludes "I am of the opinion that the proposal is such that the impact can be described as causing less than substantial harm in accordance with paragraph 202 of the NPPF (2021). The level of harm is considered to be on the lower end of the scale".

As set out in the committee report weighing in favour of the proposal are, the delivery of housing in the light of housing supply shortfall and the delivery of affordable housing; delivery of development on a strategic allocated site; biodiversity improvements; and employment provision. Each carries substantial weight. Improvements to pedestrian access and contributions towards cycle connection and infrastructure contributions attract moderate weight. On balance, it is considered the public benefits of the proposed development sufficiently outweigh the less than substantial harm identified to the setting of the Listed Buildings/Climping's historic core.

Comments from the Council's conservation officer in terms of materials remain a concern, as such a condition is proposed (Condition 2) for materials to be submitted and approved prior to works above slab level. This has been amended from the previously proposed damp-proof course (DPC) to prevent visible development prior to these details being agreed.

5. In regard to drainage, this was considered and deemed acceptable at outline stage. The site is located within flood zone 1 where there is a low probability of flooding. The Inspector was satisfied that a sustainable urban drainage system could adequately mitigate effects of the development and details could be agreed through appropriate conditions to mitigate any potential flood risk. These conditions will need to be discharge prior to the commencement of the development.

6. In addition Condition 1 has been updated to reflect the amended plans for the LEAP, LAP and fitness trail as well as removing the 'Key Materials Plan'.

Officers Comments:

1. Amended plans have been received which seek to address the comments of the Council's Landscape Officer. These amendments relocate the LAP from the central area away from water bodies in line with the earlier comments of the landscape officer. These amended plans also confirm that the pathway to the LEAP will be all weather and will be accessible all year round.

In regard to the details of the play equipment, these details will be secured through the Section 106 agreement (Paragraph 4.1 of the Third schedule) which states that no development shall commence on a phase on which public open space (POS) is to be provided until a POS scheme in relation to that phase has been submitted to and approved in writing by ADC. This would include undertaking

consultation with the Council's Landscape Officer. Details of maintenance for the POS areas will also be secured through the S106 agreement.

A condition has been included as part of the outline approval which requires that any trees which die, are removed or become damaged or diseased within 5 years of planting must be replaced. Therefore, this condition will ensure the retention of the trees planted on the mounds.

Seating has been shown on the submitted landscaping details but no requirement was identified through the determination of the outline or associated S106 for bins, dog bins or cycle stands and as such provision has not been secured.

2-6. No additional officer comments.

The amendments to the conditions are shown on the attached updated recommendation sheet.

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

Recommendation Report for Approval of Reserved Matters Following Outline Approval

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SITE AND SURROUNDINGS	
DESCRIPTION OF APPLICATION	This application seeks approval of Reserved Matters for the erection of 300 dwellings, a Community Building and associated works following the granting of CM/1/17/OUT at appeal. The reserved matters that are being applied for comprise appearance, scale, layout, and landscaping. Means of access has been granted approval at the Outline stage.
SITE AREA	27.01 hectares (gross site area).
RESIDENTIAL DEVELOPMENT DENSITY	Based on the residential areas (10 ha) the density is 30 dph.
TOPOGRAPHY	Predominantly flat.
TREES	Mature trees form the southern, western and part of the eastern boundary of the site. TPO/CM/1/04 covers the western and southern tree belts.

BOUNDARY TREATMENT

The southern boundary consists of a woodland tree belt, adjacent to the A259. The eastern boundary, adjacent to Church Lane, also has mature trees and hedgerow becoming more sporadic towards the north-eastern corner of the land. The northern boundary is formed by residential development except for a section that fronts directly onto Horsemere Green Lane.

SITE CHARACTERISTICS

The site is flat agricultural land.

CHARACTER OF LOCALITY

The site lies to the south of Climping. The village has been extended through residential development along sections of Horsemere Green Lane. The village includes a church, church hall and the Rudford Industrial Estate. The settlement of Ford lies further to the north. The surrounding areas to the east, south and west consist of agricultural land except for sporadic development to the south along the A259 including Baird's Farm Shop, housing along Climping Street and St Mary's Church of England School. The Oyster Catcher Public House and Grange Holiday Lodge Park are to the west of the site across the B2233. A village hall and sports pitches are to the east of Church Lane.

RELEVANT SITE HISTORY

CM/1/17/OUT

Outline application for the erection of up to 300 dwellings & ancillary development comprising open space, a building within use class D1 (Non- Residential Institutions) of up to 875 square metres net, a building for A1 (Shops) use having a floor area of up to 530 sq. metres net, together with open space & ancillary works, including car parking & drainage arrangements, with appearance, landscaping, layout & scale wholly reserved for subsequent approval. The access detail, showing the points of access to the development, & indicated on Bellamy Roberts drawings numbered 4724/004 & 4724/005 are access proposals to be determined at this stage of the application. For the avoidance of doubt all other access detail within the site is to be determined as a reserved matter at a later stage. This application is a Departure from the Development Plan & affects the setting of Listed Buildings.

Refused
05-09-17

**Appeal: Allowed+Conditions
28-09-18**

There was no pre-application correspondence prior to the submission of this reserved matters application.

REPRESENTATIONS

Climping Parish Council objects to the proposal, with their concerns summarised as follows:

- Impact on existing residents
- Design and scale of the development
- Traffic and unsuitable access
- Archaeology
- Sustainable transport
- Poor public open spaces and play areas, potential issues with management
- Drainage
- Landscaping and boundary treatments
- Unfunctional community buildings
- Poor contribution to local services
- Construction times and disruptions

36 public representations have been submitted objecting to the proposal. It should be noted that multiple objections have been submitted under one address, these count as one comment. The main points of concern raised include:

- Development should take place on brownfield land
- Climbing coastline is eroding northwards towards the site
- Concern over planting for the northern boundaries
- Concern over loss of historic value of the site
- Concern that the access has changed
- Unhappy with the landscape scheme it will block sunlight out of my garden
- Infrastructure demand
- Traffic, highways safety and car parking
- Impact on residents
- Impact on heritage and archaeology
- External lighting
- Loss of farmland
- Good agricultural land used for food production
- Climate change
- Loss of habitat and impact on ecology
- Increase in crime
- Too much affordable housing
- Lack of sustainable transport options
- Poor public space provision and landscaping
- Concerns with construction times
- Flooding, drainage, and sewage
- Increased crime
- Noise, pollution, and dust
- Impact on landscape character
- Broadband connection
- Lack of infrastructure
- Poor footpath and cycle links
- Poor design
- Outline condition timeframes

COMMENTS ON REPRESENTATIONS RECEIVED:

Material planning related comments noted and addressed in the 'Conclusions' section below. It is noted that many of the issues raised in representations are not relevant to an application for reserved matters as they relate to matters of principle that were established through the outline permission.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

DRAINAGE ENGINEER - Objection. Further information is required to assess the proposal. If permission be granted an additional condition and informative should be added.

CONSERVATION OFFICER - Initial concerns were raised that the proposed northern and north-eastern buffer has been depleted, causing development to encroach on the historic core. Concerns have been raised about the choice of some materials. Additional information and plans were submitted: Concerns remain with regard to the layout of development and its proximity to the historic core of the Parish which is in contrast with the illustrative masterplan of the outline application. Concerns still raised over the design of some of the houses and choice of materials.

LANDSCAPE OFFICER - Objection. Initial details provide a poor locally equipped area of play (LEAP) and local area of play (LAP) offer throughout the site, and there is inadequate soft landscape provision within the revised information. No revised comments have been received on the updated plans at the time of writing the report. These will be provided as an update to committee.

NATURAL ENGLAND - No objection

WSCC Lead Local Flood Authority - No comment

WSCC Waste and Minerals Safeguarding - No comment

NATIONAL HIGHWAYS - No comment

SUSSEX POLICE - General comments received referring to guidance. The development should be designed to Secured by Design Standards. The locally equipped area of play (LEAP) and local areas of play (LAPs) should be surrounded with railings with self closing gates. Communal parking must be within view of an active room. Ground planting should not be higher than 1.0 metre, with tree canopies no lower than 2.0 metres. The local shop should include the provision of CCTV. Lighting throughout should conform to BS 5489-1:2013. Apartments should be provided with access controls.

HISTORIC ENGLAND - No comment

ECOLOGY - No objection

WSCC Fire and Rescue Services - No objection subject to the inclusion of conditions.

ENVIRONMENTAL HEALTH - No objection. Environmental Health have assessed the Noise Report dated March 2022 by Phlorum (Ref 9709 dated 7/3/22) and have no further comments on the Noise Assessment, providing that all mitigation measures detailed in this assessment are implemented. EH also have not comments on the Construction Management Plan.

ADC HOUSING: Objection. Request that there is a higher number of 2 bed rented dwellings at the expense of 1 bed dwellings, subject to this amendment, there would be no objection.

ARCHAEOLOGY - No objection. It is agreed that the proposed layout, when combined with further investigation of the rest of the site (to be secured via the condition (13) imposed on permission

CM/1/17/OUT), would provide a suitable conservation strategy.

ADC Economic Development - No objection

SOUTHERN WATER - No objection

WSCC Highways - No objection

COMMENTS ON CONSULTATION RESPONSES:

All comments noted and either discussed in the report's conclusion or dealt with by conditions.

POLICY CONTEXT

Designation applicable to site:

Strategic Allocation in the Arun Local Plan (SD10)

Within the Built-Up Area Boundary in the Arun Local Plan.

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
HERDM1	HER DM1 Listed Buildings
HERSP1	HER SP1 The Historic Environment
ENVDM4	ENV DM4 Protection of trees
GISP1	GI SP1 Green Infrastructure and Development
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
HDM1	H DM1 Housing mix

<u>Clymping Neighbourhood Plan 2015 Policy CPN11</u>	Quality of Design
Clymping Neighbourhood Plan 2015 Policy CPN13	Retain buildings or structures of character
Clymping Neighbourhood Plan 2015 Policy CPN14	Traffic and the Environment
Clymping Neighbourhood Plan 2015 Policy CPN7	Protection of open views
Clymping Neighbourhood Plan 2015 Policy CPN8	Protection of Trees and Hedgerows
Clymping Neighbourhood Plan 2015 Policy CPN9	Protection of Natural Habitats

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
SPD12	Open Space, Playing Pitches & Indoor & Built Sports Facilities

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 Climping Neighbourhood Plan (CNP) was made on 13th January 2016. Relevant CNP policies have been taken account of and are addressed in the Conclusions section of this report.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(5) 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". Therefore, the Arun Local Plan would take precedence over the Climping Neighbourhood Plan, should there be any conflict between the two.

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.

Section 70(2) of TCPA 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, 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.

The proposed residential development of 300 dwellings and community buildings would result in a well-designed high-quality scheme combining traditional and contemporary architectural styles which would integrate with existing development. The attenuation ponds and swales which form part of the surface water drainage scheme are acceptable, however, drainage is not a reserved matter and these details will be reviewed and assessed at discharge of condition stage. The proposed open spaces and areas of additional planting, fitness trails and play spaces soften the built form and provides buffers between the existing residential development and the proposed dwellings. The details contained within this application in relation to appearance, layout, scale and landscaping are acceptable and are in accordance with the approved Outline Permission, Development Plan Policies, and the NPPF.

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

This application seeks to secure reserved matters approval for appearance, landscaping, layout and scale. All other matters were considered through the determination of CM/1/17/OUT with conditions included in relation to the following matters, which will require discharge prior to the commencement of development:

- Phasing Programme
- Tree Protection and Management
- Surface Water
- Drainage
- Flood Management & Mitigation
- Ecology Management and Mitigation
- Archaeology
- Construction Method Statement
- Travel Plan
- Energy Efficiently Measures
- Acoustic Barrier Measures
- Noise Assessment
- Highway Improvements
- Employment and Skill Plan,
- Broadband

PRINCIPLE

The principle of development at this site was established through outline planning application CM/1/17/OUT for the erection of up to 300 dwellings and ancillary development comprising open space, a building within use class D1, and a building for A1 use.

The outline permission also considered matters in regard to flood risk, impact on wildlife, loss of agricultural land, countryside location, heritage assets, provision of affordable housing, public open space, children's play and other infrastructure.

COMPLIANCE WITH OUTLINE

It has been established by case law that applications for the approval of reserved matters must be in the ambit of the outline planning permission and must be in accordance with the conditions annexed to the outline planning permission.

When determining whether reserved matters fall within the ambit of an outline planning permission the courts have allowed a little freedom of interpretation with the usual test being whether any changes make a material difference to the essence of what was approved.

A number of conditions imposed on the outline approval (CM/1/17/OUT) set parameters for the nature and form of the proposed development and these have been summarised and considered below:

Condition 4 states, development shall be carried out in general accordance with approved plans which consist of:

- Location Plan (Drawing No. P14 4899-01 REV B),
- Access Plans (Drawing Nos. GDB 4724/005 and GDB 4724/013),
- Illustrative Master Plan (Drawing No. P14 4899 01 REV F), and
- Acoustic Barrier/ Noise Bund (Drawing No. P14 4899 03).

The proposed development is broadly inline with the illustrative masterplan apart from to the north and north east. These deviations are discussed in more detail later in the report.

Condition 5 relates to the submission of the reserved matters, this being appearance, landscaping, layout and scale. This application seeks the discharge of these elements.

Detailed plans accompany the application in specific regard to the four criteria requirements set out within condition 5. These are: design, form and architectural feature of the buildings (criteria 5i). A design code masterplan accompanies the application providing details of the street hierarchy, character areas, building typologies, key buildings, car parking, structural planting, street furniture, and treatment of the public realm (criteria 5ii). Details of hard and soft landscaping (criteria 5iii) and details of external lighting strategy (criteria 5iv) have also been submitted all of which are considered in more detail further in this report.

Whilst some information/technical reports have been submitted in relation to pre commencement/prior to occupation conditions, these matters are to be considered separately via the discharge of those conditions.

CHARACTER AND APPEARANCE

Arun Local Plan (ALP) policies D DM1 and D SP1 are relevant in respect of character. In addition, Policy AH SP2 seeks to ensure that affordable housing is visually indistinguishable from market housing and that it is provided in small clusters throughout the development. Policy CPN 7 of the Climping Neighbourhood Plan (CNP) is relevant relating to the protection of open views.

The site falls within National Character Area Profile, South Coast Plain. This area is characterised by plain gentle slopes to the south towards the coast, there are stretches of farmland between developed areas. Large arable fields defined by low hedges or ditches are common, and the area has significant urban development, with development along the coastline dominated by suburban villages.

The Arun Landscape Study (2006) identifies that the site lies within the Climping Lower Coastal Plain (31) and states that the area "includes the only substantial area of undeveloped coastline, largely rural, within the floodplain and provides separation between Middleton-on-sea and Littlehampton."

Views of the proposed development are largely confined to vantage points located to the north, east and west, with views restricted by woodlands, shelterbelts, hedgerows and existing residential dwellings surrounding the site. The new boundary vegetation will include additional trees, thicket and hedgerow planting which will reinforce the boundaries and create a strong landscaped edge to the development which respects the mature tree belt to the south of the site.

The Climping Character Assessment notes five character areas which are Parish and Countryside, Coastal, Traditional Climping, Horsemere Green Lane and A259 corridor. The site lies to the south of Horsemere Green Lane character area, part of the site sits immediately to the south of Traditional Climping (north eastern corner of the site), with the remainder of the site falling within the A259 Corridor.

Climping comprises an eclectic mix of historic development ranging from the Church, dating from 1220, to 19th century buildings of brick and flint construction with mainly slate tiled gabled roofs. Some are single storey or chalet style dwelling but the majority are two storey buildings. Horsemere Green Lane, comprises a mix of one and two storey detached and semi-detached dwellings of varied designs with tiled roofs, some of which are traditional slate. Most dwelling in this area are built with brick, some are rendered or tile hung and some faced with Sussex flint.

The A259 Principal road runs east - west, severing the village. The A259 has grassed verges and hedges and trees that partially screen the countryside and the residential areas. There is a footway along the northern side of the A259 (Crookthorn Lane) leading east from the Yapton Road junction towards Littlehampton. Beyond Church Lane this footway opens out to include a cycleway. The south side, and some of the north side of the road, is designated strategic gap in the Arun Local Plan. It is important that a screened and wooded effect along the road is maintained.

There are five modern estates of houses within the Parish area. These estates are laid out in more regular patterns, with houses built on smaller plots with open front gardens and pavements. Most of the houses are detached with only smaller numbers of semi-detached houses. Most are brick built with pitched tiled roofs and some modern thatches, with some reference to traditional flint and render in their construction details. Of particular relevance is Cropthorne Drive a development of 28 five bed two and three storey detached houses comprising a mix of brick, rendered and Sussex flint facings.

The development includes a variety of house types ranging in size from 1 bedroom apartments to 4 bed roomed houses. The proposal consists of apartments, terraces, semi-detached and detached dwellings predominately of two and two and half storey in height. This is reflective of the character of the immediate locality of the site.

Some dwellings propose quoining detailing to corners and/or arched window detailing together with porch canopies to front doors, occasional built out porches to match local precedent. Other detail such as grey banding (house type C - Detached House) is proposed to match The Well House.

Roof forms comprise a mix of gable and hipped to reflect the more traditional dwellings and half-hipped roofs to mimic local barn conversions with front-back pitched roofs.

Brick and flint will be present throughout the development, with a variety of brick colour to match existing dwellings such as Church Farm Cottages, The Laurels, and The Barn. Flint blocks will also draw from the existing material pallet, reflecting existing dwelling on Climping Street and Mayfield House. The majority of front gardens are framed by low planting to emphasise the green and open nature of the site.

The appearance of the proposed dwellings recognises the importance of the local character, ensuring key features prevalent in Climping are incorporated into the detailed design.

The development would not result in unacceptably adverse harm to the character of the locality by virtue of the developments restricted visibility within the wider landscape due to the existing landforms, development and existing planting coupled with the additional proposed planting within this submission. Therefore the proposal accords with the requirements of LAN DM1 of the ALP and policy CPN 7 of the CNP.

DESIGN AND LAYOUT

Arun Local Plan policies D DM1, D SP1 and LAN DM1 are relevant in respect of design and layout. Policy CNP 11 of the CNP is relevant to high quality design.

Chapter 12 "Achieving well-designed places" of the NPPF is relevant. It recognises the need for high quality design, and if development is not well designed it should be refused. Paragraph 126 states "the creation of high quality beautiful and sustainable buildings and places is fundamental to what the planning and development process should be achieved."

Since outline permission was approved, the Arun Design Guide (ADG) has been adopted. Upon analysis, it would appear that the outline masterplan did not conform with certain areas of the ADG. Therefore the drawings submitted as part of the reserved matters application have been amended to conform with the adopted design guide. These changes are reflected in the submitted layout plan and are one of the reasons why the proposed layout plan differs from the illustrative masterplan approved at outline stage.

Changes were also made to the illustrative masterplan in regard to archaeology and drainage constraints. Following further community engagement it was also revealed that the back-to-back gardens

with existing properties was strongly objected to by local residents and in particular residents on Cropthorne Drives wished to avoid new houses being built immediately adjacent to them. By making amendments to the illustrative masterplan these matters have been addressed.

Based on the residential areas, the density of the development is 30 dwellings per hectare (dph), which is consistent with the submitted documents which accompanied the outline application (CM/1/17/OUT.) The predominance of two storey, and two and a half storey dwellings on the site is in accordance with the approved outline masterplan. The layout provides for a density and scale which is appropriate to the context, and accords with Policy D DM1 of the ALP, the NPPF and the Arun Design Guide.

The submitted Design Code identifies four-character areas - The Arrival, The Avenue, Countryside Cottages, and The Lanes. The principles of the character areas provide distinct areas which will help distinguish the different parts of the site from one another and will reflect the established character of Climping.

The Arrival - forms the entrance to the site which comprises of a series of rural Georgian houses, seen through gaps in the trees. Turning the corner into the site the apartments at the entrance provide a gateway and key feature which positively address Church Lane.

The Avenue - comprises mainly detached two storey dwellings which frame the main tree lined avenue through the site. The character area follows the tree lined green avenue to a central green/locally equipped area of play (LAP) area and to the large open space area to the west of the site.

Countryside Cottages - is to the north of the site, comprising a series of cottage inspired dwellings overlooking a landscape buffer at the edges. Front gardens are framed by low hedges to retaining the open appearance to the site.

The Lanes - Located to the north west of the site comprise a mix of detached and semi-detached dwellings.

There are two community buildings on site which front onto the central open space toward the Locally Equipped Area of Play (LEAP). These act as a second gateway denoting the transition from The Arrival character area to The Avenue. One of the community buildings is dedicated for A2 use and the other D1 in accordance with the outline permission.

Climping Parish Council raise concerns over the appearance of the community buildings, noting that they have been designed as 'empty shells' rather than functional buildings, lacking even basic essential facilities. The community buildings have been specifically designed, i.e with no fixed internal facilities, in order to be flexible to accommodate different end uses.

The proposed materials, within these character areas respond to the existing details found within Climping, and which will help to integrate the proposal with the existing village context. Not only do the character areas draw inspiration from Climping they are also distinct from one another to provide variation throughout the site which will create visual distinctiveness, in the interests of good placemaking.

The scheme has been reworked to ensure that car parking is not a dominant feature with parking sited behind the building line. Parking which is present within the street scene is broken up by planting or set back within the street scene to mitigate the visual impacts.

Affordable housing is well distributed across the site with clusters of single tenure types largely avoided. Given the designs and sizes of the dwellings these will appear indistinguishable from the market dwellings.

The proposed design and layout provides a form of development that is of high quality which will reflect the established character of the locality. The proposed layout and design accords with the principles established within the outline permission, as well as policies D DM1, D SP1, LAN DM1 and AH SP2 of the ALP, as well as CPN 11 of the CNP, the Arun Design Guide and the NPPF.

LANDSCAPING AND TREES

Arun Local Plan policies D DM1, LAN DM1 and D SP1 are relevant to consideration of landscaping and trees.

It is noted that the proposed landscape buffer to the northeast of the site has been reduced from that which was shown on the illustrative masterplan at outline stage, this is partly due to the reconfiguration to the layout of the dwellings. The revised layout results in dwellings closer to the northern boundary. Subsequently, the 'drainage basin' which was proposed in this area, has been repositioned adjacent to the north eastern boundary, closer to the new road. This allows for an enhanced 'buffer' planting along the boundary between the development and the existing residential development to the north on Cropthorne Drive.

Whilst reduced in size, a landscape buffer is provided along the northern boundary together with a drainage basin which together seeks to create a meaningful buffer between the existing and proposed dwellings. The incorporation of the road along this boundary will provide further separation to ensure there is no potential for overlooking to existing neighbouring properties.

Trees are to be retained along the southern boundary and dwellings will face on to this woodland belt. This relationship seeks to ensure that there is no overshadowing of amenity space, which protects the trees from pressure to prune or remove post development. This addresses the concern raised by the Council's tree officer (at outline stage) who noted the dwellings shown on the illustrative masterplan face towards the 'shelterbelt' trees and the possible pressure to allow pruning or felling in the future.

A buffer is proposed along the eastern boundary adjacent to Church Lane, This provides screening for both the users of Church Lane and future residents.

The Landscape Officer originally raised concerns noting that:

"Green infrastructure appears to have been considered in the layout proposals in relation to the proposal from a north south green corridor within the eastern sections of the site, however, this could be seen as being at the expense of the green buffer areas particularly on the eastern edge, which has been depleted within the masterplan and which appears to house significant SuDs features.

The central village green area is small in relation to the POS at the western end of the development. The locally equipped area of play (LEAP) and 1 no. local area of play (LAP) have also now been included within this small village green area which doesn't assist in the formation of sense of place or providing an aesthetic green space at the centre of this development.

The masterplan appears to give greater space between the development and to existing dwellings to the north, again a swale or SuDs feature appears in this location. It was previously recommended that a good green buffer is incorporated in this location to give separation and some screening to allow privacy to the existing and new dwellings in this location. This requested enhanced green buffer to the north of the development is not apparent and does not appear to have been enhanced following previous consultation".

In addition comments were also raised in regard to the LEAP details submitted being extremely poor and

not accessible or inclusive as well as concern over the poor offering of the LAP and narrow streets with little scope for meaningful planting.

In order to address concerns raised, revised landscape details have been submitted. Whilst the northern buffer has not changed, the revised landscape details incorporate general amendments together with minor changes to the Public Open Space (POS) area to the west which now incorporates a fitness trail. The main change relates to the central green, which has been redesigned to provide a more meaningful amenity area, complete with enhanced LAP, small pond with viewing area together with seating around the central green area. Overall the development would provide 6 LAPs and a LEAP located centrally within the development.

Updated comments are currently awaited from the Council's Landscape Officer and will be presented to Members as part of the written update prior to the committee meeting.

ECOLOGY

In addition to the details submitted with the outline application, a Preliminary Ecological Appraisal (PEA) was undertaken in October 2020 to assess the potential ecological impact from the development. The PEA identified the potential for the site to support populations of bats, great crested newts and badgers, this was similar to the findings of the PEA submitted at outline stage.

Condition 12 requires an Ecology Management and Mitigation Plan to be submitted and approved prior to the commencement of the development.

No objections have been raised with regard to the Ecology reports. The Council's ecology consultant noted in their consultation response that "Full details on how the habitats and enhancements onsite will be managed during the construction phase and post construction will need to be included within the Construction Environmental Management Plan (CEMP) and Landscape and Management Plan (LEMP) as part of a reserved matters application. We require that the LEMP align with Sections 6 and 7 of the Ecological Management and Mitigation Plan (Aug 2021) and Section 4 of the Great Crested Newt Report (June 2021)".

Ecology have been re-consultant on the receipt of the amended landscape plans. Comments are currently awaited and will be presented to Members as part of the written update prior to the committee meeting.

PUBLIC OPEN SPACE/PLAY PROVISION

Arun Local Plan policies OSR DM1 and HWB SP1 are relevant to the consideration of public open space and play provision. However, there are no applicable policies contained within the Climping Neighbourhood Plan (CNP). The Council's Supplementary Planning Document (SPD) for 'Open Space Playing Pitches, Indoor and Built Sports Facilities' (January 2020) sets out specific requirements for on-site public open space (POS).

In this case the play provision and overarching strategy for POS was established through the outline approval and secured via a Section 106 agreement. The Section 106 agreement secures a provision of 14.38ha of open space/greenspace/landscaping including a locally equipped area of play (LEAP), 6 local areas of play (LAP's), six pieces of equipment in the semi-natural green space area to the west of the site to form fitness trail and the provision for a central village green and a northern green.

Six local areas of play (LAPs) are proposed within the site layout, and these are well distributed. A locally equipped area of play (LEAP) is proposed within the central POS area, which incorporates a combination of timber and metal play equipment consisting of swings, climbing, jumping, and turning play experiences as well as bin and seating facilities.

The fitness trail has been amended and is located within the large open space at the west of the site. This is acceptable and is of an appropriate standard and amounts of equipment.

The play provision has been amended in line with the comments received by the Landscape Officer in July. The play provision now provides inclusive, accessible, and varied play experiences.

The POS provision allows future residents to have adequate access to open space and play provision. Therefore, the proposed development is in accordance with policies OSR DM1 and HWB SP1 of the ALP and the Open Space SPD.

HOUSING MIX AND AFFORDABLE HOUSING

Arun Local Plan policy H DM1 provides for a mix of housing to meet local needs and requires all housing development to provide a mix of dwelling type and sizes to address this need and demand. The supporting text (12.2.4) acknowledges that the final mix will be negotiated on a site-by-site basis, having regard to the most up to date Strategic Housing Market Assessment (SHMA).

Arun District Councils Updated Housing Needs Evidence Report (2016) highlights the local need;

5-10% 1 bedroom,
40-45% 2 bedrooms,
35-40% 3 bedrooms,
10-15% and 4+ bedrooms.

There is a higher need for 2- and 3-bedroom market dwellings in the local in area.

In this case, the total development comprises:

31 x 1 Bed Units (10.3%), 82 x 2 Bed Units, (27.3%) 72 x 3 Bed Units (24%) and 115 x 4 Bed Units (38.3%)

In regard to affordable housing this equates to 90 units comprised as follows:

Rent (69 units)

25 x 1 Bed Flats (36%), 23 x 2 Bed Houses (33.3%), 17 x 3 Bed Houses (24.6%) and 4 x 4 Bed Houses (5.7%)

Shared Ownership (21 units)

6 x 1 Bed Flats (28.5%), 9 x 2 Bed Houses (42.8%), 5 x 3 Bed Houses (23.8%) & 1 x4 Bed House (4.7%)

The proposed mixed would deviate from the suggested broad mix identified through the Council's 'Updated Housing Needs Evidence - September 2016'. However, with regard to affordable housing the Council's housing officer notes that there is high demand for affordable housing throughout the Arun District for all types of housing. The Council's housing officer suggests only a slight amendment to the affordable housing mix to include a higher number of 2 bed rented at the expense of 1 bed properties. This would see a reduction in 1 beds from 25 to 21 a decrease of just 4 with an increase in two beds from 23 to 27.

Notwithstanding the comments from the Council's Housing officer, the proposed housing mix is in line with the indicative dwelling mix set out in the seventh schedule of the Section 106 agreement associated with the outline permission (CM/1/17/OUT) and as such the mix is acceptable and ensures that the provision of housing will meet local needs whilst respecting the setting of the site.

Policy AH SP2 seeks to ensure that affordable housing is visually indistinguishable from market housing and that it is provided in small clusters throughout the development. Affordable housing is well distributed across the site with clusters of single tenure types largely avoided. Given the designs and sizes of the dwellings these will appear indistinguishable from the market dwellings. Therefore, the proposals would accord with policy AH SP2 of the Arun Local Plan.

RESIDENTIAL AMENITY

Arun Local Plan policies D DM1, D DM2, QE SP1 and QE SP2 are relevant to the consideration of residential amenity. The Council's Design Guide also sets out guidance on interface distances between houses in order to ensure a high standard of amenity for future occupiers. The following standards are established through the design guide:

- 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 and site boundary to existing landscaping.
- Rear Gardens: Min 10.5m from house to boundary.
- Front Gardens: Min 2m at the front of properties.

The proposed layout and orientation of the dwellings ensures that the scheme accords with these interface distances and as such the development will not give rise to unacceptable adverse impacts on the residential amenities of future occupiers through the loss of privacy due to overlooking, overshadowing or overbearing impacts. The proposed site plan confirms that the layout accords with the Arun Design Guide interface distances and there is no conflict with policies D DM1 and QE SP1 of the ALP.

In addition the Council's Design Guide sets out a garden depth requirement of 10.5 metres. The proposed site layout indicates that the proposed dwellings would meet this requirement.

The floor areas of each of the dwellings and apartments proposed have been reviewed and are in accordance with the Nationally Described Space Standards (NDSS). Therefore, the internal size of the dwellings is appropriate to ensure an acceptable standard of amenity.

As such the proposal would not result in any adverse impact to residential amenity and complies with policy D DM2 and the Arun Design Guide.

PARKING, ROADS, AND PUBLIC FOOTPATHS

Arun Local Plan policies T DM1 and T SP1, and Clymping Neighbourhood Plan policies CPN 11 and CPN 14 are relevant although the latter has reduced weight due to adoption of the Arun Parking Standards Supplementary Planning Document (SPD).

The access arrangements and wider highway impacts were assessed and agreed through the determination of the Outline permission. The latest Transport Statement (TS) looks at areas that have been agreed previously with the Local Highway Authority (LHA) and notifies the small changes proposed as part of this application.

The primary vehicular access from Church Lane and a secondary access onto Horsemere Green Lane was agreed as part of the approved outline scheme. A major improvement to the Church Lane/A259 roundabout which incorporates a realignment of Church Lane to the new roundabout was also agreed as part of the consented scheme.

The reserved matters seeks to adjust the secondary access requirements onto Horsemere Green Lane by proposing that the secondary access, once constructed, is only used for emergency vehicles, cyclists

and pedestrians, this results in all vehicular access movement to and from the site being from the approved Church Lane access point. This amendment follows further consultation with the Parish Council and local residents.

West Sussex County Council raise no objection to this amendment noting, "The Transport Statement (TS) provided has undertaken some additional modelling and this demonstrates that the proposed access onto Church Lane still can operate within capacity to the future 2026 year scenario. The modelling also demonstrates that no changes are likely within the distribution and movement of the traffic on the network".

The highway authority conclude, "Based on the information within the TS the Local Highway Authority (LHA) would not consider that the changes to the access arrangements would result in an 'Severe' residual impact on the adjoining highway network in accordance with Paragraph 111 of the National Planning Policy Framework (NPPF)".

The site is located within Parking Behaviour Zone 1 of the Arun Parking Standards Supplementary Planning Guidance. Based on the number of dwellings proposed, the Council's guidance requires a total of 724 parking spaces.

The application proposes a total of 774 allocated parking spaces, 60 visitor spaces, and 23 community building parking spaces, which accords with the requirements of the Arun Parking SPD. The level of parking provision has been confirmed by WSCC as the Local Highways Authority as acceptable and would not result in significant overspill car parking within the development or the surrounding roads. The distribution of visitor parking spaces has been amended so that they are more evenly distributed throughout the site, as such the parking provision is acceptable.

The proposed parking layout should also incorporate 5% of the total spaces, or at least 5% of the total parking provision (most likely visitor spaces) should be capable of conversion to disabled spaces. Revised plans have been received which demonstrate the provision for at least 5% of the proposed parking to incorporate disabled parking can be achieved.

Electric Vehicle (EV) charging points will be made available for visitors of the community building to encourage the use of electric cars and vehicles. In line with Arun District Councils guidance, EV charging points will be provided for all properties that incorporate a driveway and garage and at a rate of 20% for all remaining properties. EV details will be secured by a condition imposed on the outline application.

The proposed garages are shown as measuring 6m x 3m which meets the minimum size standard established through the Arun District Council Parking SPD. The garages are also of sufficient size to incorporate cycle parking whilst garden sheds will make provision for this where garages are not provided. The proposed apartment blocks incorporate communal bike stores to ensure residents can securely store their bicycles.

In addition to this, a condition has been applied to ensure that no-dwelling shall be occupied until the roads, footways and parking serving that dwelling have been constructed and are available to use.

Road widths align with the principles established through the Design Code and ensure that a hierarchy of streets is created through the development. The road widths as proposed are deemed acceptable and will adequately serve the proposed development. Below is a summary of the road types, their widths and design.

- Primary Streets: the road widths are proposed as 6.0 with 2.0m footway on at least one side of the street.

- Secondary Streets: the carriageway would be at least 4.8m width, incorporating 2.0m footways on at least one side.
- Shared Space Drives: these areas will provide access to multiple plots within the site.

The internal road layout and design as well as parking provision is acceptable and is in accordance with policies T DM1 and SP1 of the ALP and CPN 11 and CPN 14 of the CNP.

HERITAGE

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states "that in considering whether to grant planning permission for development which affects listed buildings or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Paragraph 199 of the NPPF (2021) requires great weight to be given to the conservation of heritage assets. Any harm resulting from the proposed development should be weighed against the public benefit in accordance with paragraph 202 of the NPPF. Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate securing its optimum viable use.

Church Farmhouse East and Church Farmhouse West are Grade II Listed Buildings directly adjacent to the site. The Barn to the west of No 1 and 2 Church Farm Cottage is a Grade II Listed Building located 40m from the site boundary, and approximately 240m northeast of site lies St Marys Church and the Vicarage. The site itself does not contain any designated heritage assets.

Historic England raises no objection to the proposal. When assessing the impact on Climping's historic core at outline stage, Historic England noted:

"Whilst Climping's Historic Core should be shielded visually from the development by the same screening which shields St Mary's Church and the Scheduled Monument, the development may have some effect upon its setting due to impact that it would have on the approach along Church Lane.

As highlighted within the Additional Heritage Assessment (AHA), the Landscape and Visual Assessment (LVA) finds that the approach along Church Lane will witness some negative effect, as (due to the road's fragmentary tree and hedge eastern boundary) some views towards the development will be possible and some impact through increased lighting will be felt. It states that, with proposed additional planting, this effect should be slight negative in 5 years, and negligible in 10-15 years. As a lot of green space is proposed within the design, it also highlights the scope which exists to introduce linear open space within the development to maintain the character of Church Lane. We agree that these mitigation methods should reduce harm to the setting of Climping's Historic Core (at least in the medium-long term), but also agree with the LVA assessment that the proposed mitigation is currently based on a broad brush stroke approach and would need to be subject to refinement and detail design at a later stage".

The appeal Inspector raised no concerns in regard to heritage noting that Historic England's initial concerns had been addressed.

The Council's Conservation Officer has been consulted on the proposed development and has raised concerns, mainly in regard to the extent of the buffer on the north-eastern boundary of the site and the proposed materials.

With regard to materials, whilst these details have been provided, due to the concerns raised over some materials proposed, it has been agreed that materials can be dealt with via a condition.

It has already been acknowledged that the buffer on the north eastern corner has been reduced from that which was shown on the illustrative masterplan due to a change in the layout of the dwellings. However, the plans still show enhanced planting on the north eastern boundary coupled with a drainage basin which together is considered to create a meaningful buffer between the proposed dwellings and the Church Farmhouse East and West. These two Listed Buildings are approximately 80m (back-to-back) from the closest proposed dwelling. The incorporation of the road along this boundary will provide further separation.

Due to the proximity of the proposed dwellings to the adjacent Listed Buildings, the proposed development will result in some harm to the setting and significance of the listed buildings/Historic Core. However, given the separation distance between the proposals and the designated heritage assets it is considered that this impact would sit on the lower level of harm resulting in less than substantial harm. Therefore, in accordance with paragraph 202 of the NPPF it will be necessary to weigh the less than substantial harm against the public benefits of the development.

Weighing in favour of the proposal are, the delivery of housing in the light of housing supply shortfall and the delivery of affordable housing; delivery of development on a strategic allocated site; biodiversity improvements; and employment provision. Each carries substantial weight. Improvements to pedestrian access and contributions towards cycle connection and infrastructure contributions attract moderate weight.

On balance, it is considered the public benefits of the proposed development sufficiently outweigh the less than substantial harm caused to the setting of the Listed Buildings/Climping's historic core. Therefore the proposals impact upon designated heritage assets accords with Policy HER DM1 of the ALP and the NPPF.

WASTE MANAGEMENT

Policy WM DM1 of the ALP is relevant but, in this case, there are no issues with refuse vehicles accessing the site from Church Lane and the application is supported by refuse vehicle tracking as well as details of individual bin storage and communal bin stores. The application achieves sufficient provision for the storage of waste and demonstrates that kerbside collection is possible for all dwellings. As such, the development accords with policy WM DM1 of the ALP.

SUMMARY

The proposed residential development of 300 dwellings and community buildings would result in well-designed high-quality scheme combining traditional and contemporary architectural styles and the proposed development would integrate with the existing settlement. The open space provision along with the incidental street planting will make an important contribution towards the softening of the built form and breaking up the parking provision where present within the street scene. The details contained within this application which relate to appearance, layout, scale and landscaping are acceptable and are in accordance with the approved details from the Outline Permission, as well as relevant Development Plan Policies, and the NPPF.

It is therefore recommended that this reserved matters application is approved subject to the conditions below

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). 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.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be carried out in accordance with the following approved drawings

- 20.050.01 - Location Plan
- 20.050.02 - Site Plan Rev AA
- 20.050.03 - Block R Plots 1-16 Elevations Rev G
- 20.050.04 - Block R Plans Rev E
- 20.050.05 - Block S Plots 10-13 - Elevations Rev G
- 20.050.06 - Block S Plans Rev E
- 20.050.07 - Block B (CA1) (Formally block T) Rev C
- 20.050.08 - Block C (CA1) Rev E
- 20.050.09 - Block F (CA1) Rev E
- 20.050.10 - HT C (CA1) Rev D
- 20.050.11 - HT A (CA2) Rev C
- 20.050.12 - HT B (CA2) Rev C
- 20.050.13 - HT C (CA2) Rev C
- 20.050.14 - HT D (CA2) Rev D
- 20.050.15 - HT E (CA2) Rev C
- 20.050.16 - HT F (CA2) Rev C
- 20.050.17 - Block B (CA2) Rev C
- 20.050.18 - Block C (CA2) Rev F
- 20.050.19 - Block E (CA2) Rev D
- 20.050.20 - Block K (CA2) - Elevations Rev C
- 20.050.21 - Block K (CA2) - Floorplans Rev D
- 20.050.22 - HT B (CA1) Rev B
- 20.050.24 - HT D (CA2) Wayfinding Rev C
- 20.050.25 - Block A (CA2) Rev D

20.050.26 - HT F (CA1) Rev C
 20.050.27 - Block D (CA2) Rev F
 20.050.30 - Block D (CA1) Rev E
 20.050.31 - Block F (CA2) Rev D
 20.050.32 - Block H (CA2) Rev D
 20.050.33 - Block H - Plans (CA2) Rev D
 20.050.34 - Class D1 - Plans Rev C
 20.050.35 - Class D1 - Elevations Rev D
 20.050.36 - Class A1 - Plans Rev D
 20.050.37 - Class A1 - Elevations Rev E
 20.050.38 - Block O - Elevations(CA2) Rev D
 20.050.39 - Block O - Plans (CA2) Rev D
 20.050.40 - HT D (CA2) Wayfinding Rev C
 20.050.41 - Block Q - Elevations (CA2) Rev C
 20.050.42 - Block Q - Plans (CA2) Rev D
 20.050.43 - HT G (CA4) Rev C
 20.050.44 - HT B (CA4) Rev D
 20.050.45 - HT C (CA4) Rev B
 20.050.46 - HT Cv (CA4) Rev F
 20.050.47 - HT E (CA4) Rev C
 20.050.48 - HT F (CA4) Rev EM
 20.050.49 - Block A (CA4) Rev D
 20.050.50 - Block D (CA4) Rev EM
 20.050.52 - Block F (CA4) Rev C
 20.050.53 - Block L (CA4) Rev E
 20.050.55 - HT A (CA5) Rev D
 20.050.56 - HT B (CA5) Rev C
 20.050.57 - HT C (CA5) Rev D
 20.050.58 - HT E (CA5) Rev C
 20.050.59 - Block A (CA5) Rev F
 20.050.60 - Block B Wayfinding (CA5) Rev F
 20.050.61 - Block C (CA5) Rev F
 20.050.62 - Block E (CA5) Rev D
 20.050.63 - Block F (CA5) Rev D
 20.050.64 - Block G (CA5) Rev G
 20.050.65 - Block H - Elevations (CA5) Rev D
 20.050.66 - Block H - Plans (CA5) Rev C
 20.050.68 - Block D Rev G
 20.050.69 - Key Building HT F Rev D
 20.050.70 - Key Building HT C Rev D
 20.050.71 - Single garage Rev A
 20.050.72 - Single Plus garage Rev A
 20.050.73 - Twin Garage Rev A
 20.050.75 - Key Building HT F (CA2) Rev C
 20.050.77 - Key Building HT C (CA4) Rev C
 20.050.79 - House Type Key Plan Rev M
 20.050.80 - Street Scenes page 1 Rev H
 20.050.81 - Street Scenes Page 2 Rev H
 20.050.82 - Street Scenes Page 3 Rev H
 20.050.83 - Street Scenes Page 4 Rev H
 20.050.85 - Affordable Housing Plan Rev K
 Design Code - Climping Design Code Rev G

20.050.86 - Street Scenes Page 5 Rev H
 20.050.87 - Street Scenes Page 6 Rev H
 20.050.88 - Street Scenes Page 7 Rev H
 20.050.89 - Character Areas Plan Rev G
 20.050.90 - Section 106 Open Space Plan - Rev G
 20.050.92 - Parking Plan Spaces for Disabled Persons Rev A
 DD406L01 - Landscape General Arrangement Plan 1/7 Rev H
 DD406L02 - Landscape General Arrangement Plan 2/7Rev H
 DD406L03 - Landscape General Arrangement Plan 3/7 Rev H
 DD406L04 - Landscape General Arrangement Plan 4/7 Rev H
 DD406L05 - Landscape General Arrangement Plan 5/7 Rev H
 DD406L06 - Landscape General Arrangement Plan 6/7 Rev H
 DD406L07 - Landscape General Arrangement Plan 7/7Rev H
 DD406L08 - Illustrative Landscape Plan Rev A
 Q9755 Rev A - Fitness Trail
 DD406L12 to 41 - Detailed Planting Plans Sheet 1 to 30 Rev C
 DD406L42 - Central Green Illustrative Landscape Plan
 20.050 Rev A - Play Provision Booklet - 7th November 2023

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Policy D DM1 and Policy D SP1 of the Arun Local Plan.

- 2 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 buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity/setting of the nearby Listed Buildings by endeavouring to achieve a development of visual quality in accordance with policy HER DM1 and D DM1 of the Arun Local Plan.

- 3 Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the Local Planning Authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained and in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan.

- 4 No development above damp proof course (DPC) level shall take place until a statement of architectural detail has been submitted to and been approved in writing by the Local Planning Authority. The 'statement of detail' shall be submitted setting out details of proposed windows and doors, details of the depth of recess/reveal from the brickwork, sills and lintels, brick bonding, brick detailing, eaves detailing and rainwater goods. The 'statement of details' so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in details in the interests of amenity by endeavouring to achieve buildings of visual quality in accordance with Policy D DM1 of the Arun Local Plan.

- 5 No dwelling shall be occupied until the roads, footways, and parking areas serving it have

been constructed, surfaced and drained in accordance with the approved plans and details.

Reason: To secure satisfactory standards of access for the proposed development, in accordance with Policy D DM1 of the Arun Local Plan.

- 6 No dwelling shall be occupied until the garages and parking areas for that dwelling shown on the approved plans have been provided and constructed for the dwelling to which they relate.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in accordance with Policy D DM1 of the Arun Local Plan.

- 7 Prior to occupation of any of the dwellings, details of the proposed electric vehicle charge points to serve the development shall be submitted to the Local Planning Authority for approval and thereafter installed in accordance with the approved details. The charge points shall be retained and maintained in good working condition. Charge points should be Mode 3, 7kw fast chargers as a minimum standard.

Reason: New petrol and diesel cars/vans will not be sold beyond 2040, 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 District Council Parking Standards SPD (January 2020) and the National Planning Policy Framework. It is considered necessary for this to be a pre-commencement condition because of the need to install the wiring in the ground.

- 8 Prior to the commencement of the development details showing the proposed location of the required fire hydrants shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service. This shall include details of phasing for the delivery of the fire hydrants. These approvals shall not be unreasonably withheld or delayed.

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

- 9 Prior to the first occupation of any dwelling forming part of the proposed development, the developer shall at their own expense install the required fire hydrants (as approved under Condition 8 of this approval) in the approved locations to BS:750 standards or stored water supply and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

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

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

- 10 A scheme for external lighting shall be submitted and approved in writing by the Local Planning Authority. The scheme shall ensure that the lighting is sensitive to bats by minimising the lighting of the woodland along the southern and western boundaries and shall comply with Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light, Obtrusive Light Limitations for Exterior Lighting Installations for Zone E2.

Reason: To control the residential amenities of the local environment in accordance with Arun Local Plan policies QE SP1, QE DM2 and D DM1.

- 11 INFORMATIVE: The applicant is advised that the erection of temporary directional signage

should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.

- 12 INFORMATIVE: The applicant is advised that any proposed structures on, under, above or adjacent to any roads, watercourses etc, are required to be subject to the Technical Approval process as specified within BD 2/12 of the Design Manual for Roads and Bridges. The applicant should contact the WSCC Structures Team to commence this process. The applicant should note that the failure to obtain technical approval may prevent the future adoption of the structure as part of the public highway or otherwise and as a consequence may incur additional works to bring the works up to a suitable standard.
- 13 INFORMATIVE: The applicant is required to enter into a Section 59 Agreement under the 1980 Highways Act to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The Applicant is advised to contact the Highway Officer (01243 642105) in order to commence this process. Note this is only required if HGV traffic exceeds 20 movements per working day.
- 14 INFORMATIVE: Section 278 Agreement of the 1980 Highways Act - Works within the Highway The applicant is required to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works if they affect the existing public highway. The applicant should 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.
- 15 INFORMATIVE: The applicant is required to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the proposed adoptable on-site highway works. The applicant should to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that any works commenced prior to the S38 agreement being in place are undertaken at their own risk.
- 16 INFORMATIVE: The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.
- 17 INFORMATIVE: A surface water drainage verification condition guidance note is available at <https://www.arun.gov.uk/drainage-planning-consultations>, this clearly sets out our requirements for discharging this condition