

Recommendation Report for Planning Permission

REF NO: FG/183/17/PL

LOCATION: Land adj to The Barn
Hangleton Lane
Ferring

PROPOSAL: Change of use of land from permitted B8 storage use & erection of new detached office building (Use Class B1) with access via Hangleton Lane & associated car parking, cycle storage & refuse storage. This is a Departure from the Development Plan.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

It is proposed to erect a building with rooms in the roof space which would provide new accommodation for an existing business user located in premises fronting Hangleton Lane adjoining the site to the west.

The development will be served by a new car park and access off Hangleton Lane. Refuse and cycle storage will also be provided for on-site. The proposed building would be of relatively modern design, with roof lights to the upper rooms. Proposed materials are a metal clad roof with standing seams, wall of a mixture of profiled metal sheeting with panels of vertical cedar cladding and doors/windows to be dark grey powder coated aluminium.

The building would provide for new office space and staff training facilities. The gross floor space would be 377sqm. Car parking is proposed to the front and west side of the proposed building, this would accommodate 19 cars. Existing parking to the rear (east) of the office building for 10 cars would be retained outside of the application site. Ridge height of the new building would be approximately 6.5m and eaves height would be approximately 2.5m.

The existing premises approximately 20m to the west of the application premises, are currently occupied by the applicants and would be vacated if the current proposal goes ahead as these are leased premises.

The site of the proposed development is presently partially in use for the supply of aggregate type building materials and has a portcabin located adjacent to its west boundary. The eastern part of the site appears to be largely unused.

The application is supported by:

	- A Planning Supporting Statement - A Transport Statement - A letter from the applicant's property agents advising as to length of search for premises elsewhere than the application site. - A statement from the applicant, District Carers, relating to need and the existing business. This provides carers to support vulnerable adults to enable them to live independently both in their home and their community.
SITE AREA	0.16 hectares.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The site boundary is comprised of 1.8m-2m high wooden panel fencing and a 4m-5m leyandii screen.
SITE CHARACTERISTICS	The site of the proposed development is presently partially in use for the supply of aggregate type building materials and has a portcabin located adjacent to its west boundary. The eastern part of the site appeared to be less intensively used at the time of visit The site is unsurfaced and at the time of site visit appeared underused.
CHARACTER OF LOCALITY	The area is mixed in character, although there is some existing limited residential development to the north and the south and on the east and west sides of Hangleton Lane. There are a mixture of uses, including car and caravan storage to the east and north of the site. There are also horticultural uses and structures such as greenhouses in the immediate locality. Wyevale Garden Centre is to the south west of the site adjoining the north side of Littlehampton Road, A259, and a garage with car display is to the south of the site adjoining the north side of Littlehampton Road, A259. Whilst the site is outside the built up area boundary of Ferring the physical character of the area is not exclusively open countryside in physical or in appearance terms. The vicinity of the site can be said to be semi rural in character.

RELEVANT SITE HISTORY

FG/45/15/PL	Change of use of land from agricultural/compost production to B8 Storage. This application is a Departure from the Development Plan	Refused 10-06-15 Appeal: Allowed+Conditions 31-12-15
FG/46/15/PL	Change of use of land from agricultural/compost production to B8 storage. This application is a Departure from the Development Plan	Refused 10-06-15 Appeal: Dismissed 31-12-15

FG/8/16/PL	Variation of condition 7 imposed under FG/45/15/PL to extend the use of the site hours.	ApproveConditionally 31-03-16
FG/10/16/PL	Erection of a wash-down area adjacent to existing wash-down bay including a connection to existing interceptor at adjacent car dealership premises.	ApproveConditionally 31-03-16
FG/162/14/PL	Change of use from agricultural/compost production (Sui Generis) to B8 (Storage or Distribution) (resubmission following FG/127/14/PL). This application is a Departure from the Development Plan.	Refused 23-12-14
FG/103/16/PL	Demolition of section of wall to provide internal vehicular & staff access to & from the adjoining premises (amendment to FG/45/15/PL).	ApproveConditionally 06-10-16
FG/104/16/PL	Erection of 3m high security fence around the previously approved car compound, amendments to existing storage buildings & associated lighting.	ApproveConditionally 06-10-16

Noted and referred to in conclusions section of this report.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Ferring Parish Council

Ferring Parish Council strongly objects to the proposed change of use from B8 storage use to class B1 office. This proposal is contrary to the Ferring Neighbourhood Plan and this is a departure from the local plan.

Ferring Conservation Group objects to this application, which is contrary to the Local Plan and to the appeal decision of the Inspector on Application FG/45/15. It constitutes another intrusion of a substantial building in an area designated 'Countryside' and part of the Angmering Gap. It is also contrary to the made Ferring Neighbourhood Plan, in that it does not serve the needs of agriculture.

We look to the Council to prevent this happening to Hangleton Lane.

There is no overriding reason why District Carers Ltd needs to be located in Hangleton Lane. It has nothing to do with the rural economy and the application says that it serves a wide area in southern West Sussex, so any other location would be just as suitable from a logistical point of view. This office block is not appropriate to Hangleton Lane

12 Objections have been received and these are on the following grounds:

1. This is a Departure from the Local Plan. The area is designated as part of the Angmering Gap and the proposal will erode this.
2. The site is in the countryside and the use is contrary to all Local Plans as an erosion of the countryside. It also does not support the needs of agriculture and is contrary to policy for this reason.
3. It seems 'odd' that Peugeot having successfully argued for a car parking area, are now happy to give up part or all of it. The only saving grace is that this application is for business rather than residential purposes.
4. Yeoman's garage have already successfully appealed to use this space for storing vehicles - they should use it for large car transporters to unload off the main carriageway of the A259 and stop unloading from the pavement footpath outside their premises. In respect of the Appeal decision for the vehicle storage (FG/45/15/PL) the Inspector decided that " the premises should be used for the open storage of vehicles and for no other purpose". Clearly the proposal for office building should be refused.
5. There are many vacant offices in the area which could be used instead of consuming more countryside. The proposal is not welcomed and should be located on a designated industrial site.
- 6 The proposal will only aggravate traffic problems which already exist on the Littlehampton Road, A259. It will also cause added traffic to Hangleton Lane and at the junction with Littlehampton Road.
7. From a neighbour adjoining the site raising concern about a flint wall on the northern site boundary and its protection. Also confirm that there is an existing Bore-Hole for water abstraction in very close proximity of 15 feet from the northern boundary of the site. They fully support the comments raised by Ferring Parish Council that this is the wrong location for such a development.

2 letters of support stating:

1. WSCC (Executive Director Children, Adults, Families, Health & Education) believe that this would enable significant expansion of the business which is home care for older people. Provision of good quality home care has become more and more difficult owing to a shortage of care workers and businesses no longer being prepared to invest in the sector. This in turn impacts upon the whole health and social care system, with delays in hospitals and older and disabled people not able to live independently in the community. WSCC are therefore very happy to support this application as it would enable growth within the business which will benefit residents across the Arun area.
2. A Hangleton Lane resident: This would seem to be a modest and restrained development of an enterprise geared to the public good, in stark contrast to the organised business vandalism permitted nearby.

COMMENTS ON REPRESENTATIONS RECEIVED:

The representations are noted and are addressed in the Conclusions section of this report.

In respect of the flint wall, this is unaffected by the proposal. The bore hole is outside of the site area and unlikely to be affected by development works. These issues could be addressed by informatives.

CONSULTATIONS

WSSC Strategic Planning
 Southern Water Planning
 Economic Regeneration
 Engineering Services Manager
 Engineers (Drainage)
 South Downs National Park

CONSULTATION RESPONSES RECEIVED:

Southern Water
 No objection. Comments on drainage, sewers and SUDS can be addressed by informatives.

WSSC Highways
 No objection on the basis that the proposal will not give rise to a significant number of extra traffic movements.

South Downs National Park
 No comment on the proposed development.

Arun Economic Development
 No objection to this application.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
 Outside Built Up Area
 Within Open Countryside

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

- | | |
|------|--|
| GEN2 | Built-up Area Boundary |
| GEN3 | Protection of the Countryside |
| DEV8 | Cirumstances in which Additional Development may be Permit'd |
| GEN7 | The Form of New Development |

[Publication Version of the Local Plan \(October 2014\):](#)

- C SP1 Countryside
- SD SP2 Built -Up Area Boundary
- SD SP3 Gaps Between Settlements
- SD SP1 Sustainable Development
- D DM1 Aspects of Form and Design Quality
- D SP1 Design
- EMP DM1 Employment land:Development Management

[Ferring Neighbourhood Plan 2014 Policy 1A](#)

Ferring Neighbourhood Plan 2014 Policy 7

A Spatial Plan for the Parish

Land north of Littlehampton Road, encouraging of existing rural businesses

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 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

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

The Main Modifications to the Arun Local Plan (2011-2031) were published for Public Consultation purposes over a six week period from Friday 12 January 2018 until 5pm on Friday 23 February 2018 and the consultation period is now over. The emerging Arun Local Plan is therefore at a very advanced stage and carries weight.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

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.

Policies 1A and 7 in the Ferring Neighbourhood plan have been considered in the determination 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 comply with relevant Development Plan policies relating to commercial development outside the built up area boundaries.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS

PRINCIPLE

The key policy considerations in the determination of this application are those contained within the Arun Local Plan (ADLP) and the Ferring Neighbourhood Plan (FNP). The application site is situated outside of the built up area boundary (BUAB) as specified by policy GEN2. Policy GEN2 will not permit development situated outside of the BUAB unless it is consistent with other ADLP policies. Policy GEN3 of the ADLP seeks to protect the countryside for its own sake and as such exerts strict control over development situated outside of the BUAB.

Policy DEV8 of the ADLP relates to circumstances in which additional development outside the BUAB may be permitted for local firms. This policy states that planning permission may be granted to local firms, currently located within the District, proposing development on sites outside the built-up area, provided that the applicant can demonstrate:-

- (i) that no acceptable alternative can be identified within existing permitted or allocated floorspace or within or through redevelopment of existing commercial premises; and
- (ii) that the proposal:
 - (a) exhibits a high standard of design and layout;
 - (b) is capable of being well served by public transport or otherwise is readily accessible other than by private car to a significant residential workforce if employment intensive uses are proposed;
 - (c) provides access arrangements and parking facilities in accordance with the Council's adopted standards;
 - (d) relates sympathetically to the surrounding built or natural environment;
 - (e) includes suitable landscaping and floorscaping provision where appropriate;
 - (f) displays a satisfactory relationship with neighbouring uses in order that the amenities of nearby residents in particular are protected; and
 - (g) incorporates, where appropriate, crime prevention measures.

The application proposal meets all of the above criteria set out in DEV8:

- (i) The applicant has sought to identify alternative sites without success.
- (ii) The proposal:
 - (a) is considered to be of a high standard in terms of design and layout. The proposed building is a modern high quality design, with an acceptable visual appearance.
 - (b) is readily served by public transport with bus stops in close proximity on both sides of the A259.
 - (c) provides acceptable access from Hangleton Lane and parking and manoeuvring in accord with

standards and County highways.

(d) is located such that it would be in keeping with existing development in the immediate locality.

(e) indicates a capacity to accommodate suitable landscaping and surface treatments (which can be ensured by conditions).

(f) does not result in unacceptable harm to amenity of residents.

(g) can readily accommodate crime prevention measures of required.

Ferring Neighbourhood Plan (FNP):

The application site is located on land north of the Littlehampton Road and as such Policy 7 in the FNP applies. The policy seeks to support development which will meet the criteria (i-v) set out within it. In this case it is considered that the proposal:

i. Minimises visual impacts on the surrounding countryside, since it is well related to existing development and located in a position where it will not be widely visible as it is surrounded by existing development.

ii. The new building is located within the existing cluster of buildings at the southern end of Hangleton Lane to its east and west sides. It therefore maintains the existing pattern of development and to avoid significant incursion into open countryside.

iii. Mitigating planting is proposed on the northern boundary of the site which would prevent harm to the setting of the National Park to the north.

iv. Whilst the application is not accompanied by drawings or other images showing impact of the proposed new development from key vantage points in the surrounding open countryside, it is clearly evident from the limited scale and mass of the proposed building and from the surrounding development and screening that there will be no appreciable harm to the appearance of the open countryside.

v. The development does not fall into the category of it being required to meet exceptional circumstances such as utility infrastructure needs.

The lawful use of the site is B8 storage and not agricultural, horticultural or equine use.

The proposed development is therefore considered to be in accordance with FNP Policy 7.

Ferring Neighbourhood Plan 2014 Policy 1A states that proposals for development located outside of the built up area boundary that do not accord with development plan policies in respect of the control of development in the countryside will be resisted. However, in this instance, the proposed development is in accord with development plan policies in respect of the control of development, namely policy DEV8 of the ADLP and policy 7 of the FNP.

The proposal is therefore considered to be in accordance with the Development Plan given the above.

The Emerging Local Plan (eLP)

Policy C SP1 of the eLP seeks to protect the countryside for its intrinsic character and beauty and will not permit development in the countryside unless it meets any of criteria a. - f. In this case the proposal is considered to comply with criteria f as it is in accordance with policy EMP DM1 6 which relates to cases where additional economic development will be permitted outside the BUAB.

National Planning Policy Framework:

Paragraph 7 of the NPPF states that the planning system should contribute "to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation.

In paragraph 11, the NPPF confirms that planning law requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 14 of the NPPF states that the presumption in favour of sustainable development requires the granting of planning permission, 'unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits'.

In paragraph 17 the NPPF also states the need to proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Paragraph 18 notes that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore, significant weight should be placed on the need to support economic growth through the planning system

It is therefore reasonably clear that the NPPF lends support to the development proposed. This is particularly the case since the proposal is not considered to give rise to unacceptable harm in respect of such matters as visual amenity, design and amenity in general and is considered to be in accord with the Development Plan.

DESIGN AND VISUAL AMENITY

The design of the proposed building is a modern high quality one and has an acceptable visual appearance. Its size and height is such that it would not be widely visible and it is not therefore considered that there would be unacceptable harm to visual amenity.

The area is mixed in character and there is some existing limited residential development to the north and the south on the east and west sides of Hangleton Lane. There are a mixture of uses, including car and caravan storage to the east and north of the site. There are also horticultural uses and structures such as greenhouses in the immediate locality. Wyevale Garden Centre is to the south west of the site adjoining the north side of Littlehampton Road, A259, and a garage with car display is to the south of the site adjoining the north side of Littlehampton Road, A259. The character of the area is therefore not uninterrupted open countryside in physical or in appearance terms. The vicinity of the site therefore has the character and appearance such that the proposed development would be in keeping with.

The proposed development is therefore considered to be consistent with policies relating to design and visual amenity.

RESIDENTIAL AMENITY

The location is such that it will enjoy good separation from nearby dwellings where unacceptable overlooking would not occur. The height/massing of the building is such that it will not be unduly dominant in outlook. New planting and landscaping will further mitigate any limited visual impact.

The proposed development is therefore considered to be consistent with policies relating to residential amenity.

HIGHWAY CONSIDERATIONS

The proposed development will be served by the existing access from Hangleton Lane which is considered to be acceptable. Parking provision is in accord with standards and manoeuvring within the site has been demonstrated to be satisfaction of WCSS Highways who have raised no objection to the proposal.

The proposed development is therefore considered to be consistent with policies relating to highway considerations.

PLANNING APPEALS

In determining this proposal it is also necessary to consider the Appeals set out below:

FG/45/15/PL - Appeal A, Allowed

FG/46/15/PL - Appeal B, Dismissed

FG/45/15/PL & FG/46/15/PL - These appeals relate to land which includes the site of the current application and also extends westwards. The Inspector allowed the Appeal A and granted planning permission for change of use of land from agricultural/compost production to B8 storage. Appeal A included access from Hangleton Lane. Appeal B provided for an access to the existing dealership and the A259 road, involving the removal of a flint wall between the two.

In both cases, the Inspector considered the main issue to be the effect of the proposal on the character and appearance of the Ferring area and the aims of policies on the protection of the countryside and a defined gap between settlements.

The Inspector concluded that the truly open countryside land in both the wider 'gap' and the Policy 7 area did not visually include the appeal site and that it was clear that to the east and west beyond the farm buildings and garden-centre respectively, and to the north within the South Downs National Park area the swathe of open countryside is more coherent and is safeguarded separately by the National Park designation. The Inspector considered that the site is within a predominantly developed area, bounded by built form and developed land. The Inspector further considered the site to do little to enhance the character and appearance of the area, the value of either the 'gap' or the aims of Policy 7.

On that basis the storage of vehicles would be a low-level use, not able to be readily seen from the main road due to the existence of the flint wall retained in Appeal A, and would be hardly perceptible from viewpoints on Hangleton Lane or other ground level places nearby. This remains the case for the site of the current application and the proposal, which is of limited scale and impact and is suitably related to surrounding development.

The Inspector considered that vehicles would be seen from the elevated viewpoints of the Downs, but then that this would be in the context of the other development in the vicinity and more particularly the large area of car parking presently associated with the car dealership. Whilst the unattractive and unproductive nature of the existing land would have appeared vacant or open in those elevated views, the almost surrounding development would not allow it to contribute significantly to the setting of the Downs or the designated Highdown Hill heritage asset, as sought in the Neighbourhood Plan. Use as proposed would not therefore undermine the reasons for the designation of either the National Park or the heritage asset and would not cause harm to either. It is considered that this remains the case for the current proposal given the limited impact visually due to its scale, location and grouping with other nearby existing development.

The Inspector considered that on the balance, the benefits of the proposal in Appeal A were such as to outweigh the limited effects and the conflict with the countryside policies of the 2003 Local Plan, having mind to the more up-to-date approach to rural matters in the National Planning Policy Framework.

A condition restricting use within Class B8 was imposed by the Inspector on the wider site to limit and control the future use in the light of the potential impact of other B8 uses and because the use was sought for a particular purpose to serve a particular existing use (the garage) near the site.

Appeal B was dismissed due to the harm on the flint wall.

CONCLUSIONS

The development does not give rise to unacceptable harm in design and visual amenity terms. It is also

not harmful to amenity in general and is acceptable in highway impact terms.

The character of the area within which the site is located is not that of open uninterrupted countryside in terms of character and appearance. The vicinity of the site has the character of a reasonably well defined developed area within the wider open countryside. This area is a comparatively compact one and there are not considered to be unacceptable implications for the wider open countryside nor for the setting of the South Downs National Park.

In other respects, the development is largely in accord with policies, both overarching and more detailed ones. Policy GEN3 of the Arun Local Plan states that development in the countryside is acceptable where it accords with a policy in Sections 2 & 3 of the Plan referring to a specific use or type of development. In this case the proposal is in accordance with policy DEV8 of the ADLP. In terms of the FNP, this proposal is also largely in accord with that policy. The proposal is also consistent with relevant policies in the eLP and guidance in the NPPF.

The Appeal decisions also do not give rise to considerations that would mean that a refusal of planning permission would be justified.

It is therefore recommended that planning permission be granted subject to the following conditions.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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

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

RECOMMENDATION

APPROVE CONDITIONALLY

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

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

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

Drawing Number 1675/2.01/Rev F - Proposed Site Layout, Block Plan & Location Plan - Dated 15.11.2017

Drawing Number 1675/2.02 - Proposed Plans, Elevations & Sections - Received with Application

Drawing Number 1675/2.03 - Topographical Survey & Boundaries - Received with Application

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 Notwithstanding the provisions of any Town & Country Planning General Development Order or Use Classes Order (or any Order revoking or enacting that Order), the use hereby permitted shall be restricted to office use within Class B1(a) only and for no other purpose.

Reason: To enable the Local Planning Authority to consider the acceptability of alternative use, in accordance with Arun District Local Plan policy GEN7.

- 4 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs and details of the design, materials and finishes of the dwellings hereby permitted (and if required, samples) have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a development of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 5 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and walls and/or fencing and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the development or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The approved details of the hard surfacing and walls and/or fencing shall be implemented before the development is first occupied.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 6 No development above damp proof course (DPC) level shall take place until there has been submitted to and approved in writing by the Local Planning Authority details of provisions for the storage of refuse/waste and cycle parking/storage provision for the development. The provisions so approved shall be implemented in accordance with the details so approved for the development before it is first occupied.

Reason: To protect the amenities of nearby residents and occupiers of the new development in accordance with Arun District Local Plan policy GEN7.

- 7 The development shall not be occupied until the parking spaces and turning facilities shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policies GEN7 and GEN12 of the Arun District Local Plan.

- 8 Development shall not commence until full details of the proposed provisions for foul and surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The provisions so approved shall be implemented in accordance with the details so approved for the development before it is first occupied.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the foul and surface water drainage system prior to commencing any building works.

- 9 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 10 INFORMATIVE: Southern Water has advised that -

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

- 11 INFORMATIVE: Southern Water has further advised that -

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS).

Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SUDS scheme
- Specify a timetable for implementation
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its

lifetime.

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

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