

REPORT UPDATE

Application No: LU/116/13/

Reason for the Update / Changes

Reason for Update/Changes:

- 1) Suggested Amendments to Conditions.
- 2) Additional response from West Sussex County Council highways department.
- 3) Error in report
- 4) Revised Recommendation

Note: The changes to recommendation and conditions and/or reasons show under Officers Recommendation at the end of the attached report.

1) Suggested amendments to conditions

The applicants have submitted information to the Council that the site will come forward in two phases. The phased delivery is necessary as a number of existing business premises on the eastern end of the site continue to trade successfully. The applicants have therefore requested that a number of conditions be modified to allow them to be discharged in two phases.

Further suggested conditions have been received from West Sussex County Council.

It is considered that this is a reasonable approach in the circumstances, and a revised set of conditions is set in Appendix A out at the end of this report.

2) Additional response from West Sussex County Council Highways

West Sussex County Council have submitted a final (4th) response on the proposed development. This includes most of the comments set out in the "Consultation Responses" section of the Committee Agenda.

The County Council's conclusions recommends that should the Local Planning Authority be minded to approve the planning application it should be subject to a S106 agreement to secure appropriate levels of financial contributions towards specific highways infrastructure.

The applicants are currently undertaking an informal consultation on the suitability of the proposed build out necessary to provide safe pedestrian access to the site. The County Council request that the application not be determined until such time as this consultation process is completed.

As a result of this response a revised recommendation is set out below.

3) Errors in the Report

In the "Conclusion" the section titled infrastructure a figure is given of £150,000. This should be £10,000.

4) Changes to recommendation

The County Council have requested that the application not be formally determined until the on-going public consultation on the suitability of the proposed build out. This is due to close on Friday 15th January.

As a result, the recommendation should be amended to read:

That Committee delegate responsibility to the Assistant Director for Planning and Economic Development to approve the application subject to a final consultation response being received from West Sussex County Council Highways confirming the satisfactory completion of their public consultation.

Appendix A Revised Conditions

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

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

2.The development hereby approved shall be carried out in accordance with the following approved plans:

Drawing Reference 5691/01 Rev N Site Layout Plan
Drawing Reference 5691/150 Plots 1 - 4 Plans
Drawing Reference 5691/151 Plots 1 - 4 Elevations
Drawing Reference 5691/152 Plots 5 - 7 Plans & Elevs
Drawing Reference 5691/153 Plots 8 - 10 Plans & Elevs
Drawing Reference 5691/154 Plots 11 - 13 Plans & Elevs
Drawing Reference 5691/155 Plots 14 - 16 Plans & Elevs
Drawing Reference 5691/156 Plots 17 - 18 Plans & Elevs
Drawing Reference 5691/157 Plots 19 - 20 Plans & Elevs
Drawing Reference 5691/158 Plots 21 - 26 Plans
Drawing Reference 5691/159 Plots 21 - 26 Elevations
Drawing Reference 5691/160 Plots 27 - 30 Plans
Drawing Reference 5691/161 Plots 27 - 30 Elevations
Drawing Reference 5691/162 Plots 31 - 32 Plans & Elevs
Drawing Reference 5691/163 Plots 33 - 35 Plans
Drawing Reference 5691/164 Plots 33 - 35 Elevations
Drawing Reference 5691/165 Plots 36 - 39 Plans
Drawing Reference 5691/166 Plots 36 - 39 Elevations
Drawing Reference 5691/167 Plots 40 - 41 Plans & Elevs
Drawing Reference 5691/168 Plots 42 - 43 Plans & Elevs
Drawing Reference 5691/169 Plots 44 - 45 Plans & Elevs
Drawing Reference 5691/170 Plot 46 Plans & Elevs
Drawing Reference 5691/171 Plots 47 - 48 Plans

Drawing Reference 5691/172 Plots 47 - 48 Elevations
Drawing Reference 5691/173 Plots 49 - 50 Plans & Elevs
Drawing Reference 5691/174 Plots 51 - 52 Plans
Drawing Reference 5691/175 Plots 51 - 52 Elevations
Drawing Reference 5691/176 Plot 53 Plans & Elevs
Drawing Reference 5691/177 Plots 54 - 56 Plans
Drawing Reference 5691/178 Plots 54 - 56 Elevations
Drawing Reference 5691/179 Plots 57 - 59 Plans
Drawing Reference 5691/180 Plots 57 - 59 Elevations
Drawing Reference 5691/181 Plot 60 Plans & Elevs
Drawing Reference 5691/182 Plot 61 Plans & Elevs
Drawing Reference 5691/183 Plots 62 - 63 Plans & Elevs
Drawing Reference 5691/184 Garages Plots 56-57/60-61
Detailed Soft Layout Proposals for Plots and Green JBA 13/63-01 Rev B
Drainage Strategy SK201 Rev B

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

3a. No development shall be carried out within Phase 1 as detailed on drawing reference 5691/01 Rev N Site Layout Plan unless and until a schedule of 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. A '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 materials and 'statement of details' so approved shall be used in the construction of the buildings.

3b. No development shall be carried out within Phase 2 as detailed on drawing reference 5691/01 Rev N Site Layout Plan unless and until a schedule of 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. A '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 materials and '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 detail in the interests of amenity by endeavouring to achieve buildings of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

4. No dwellings hereby approved shall be occupied until a scheme showing details of proposed boundary screen walls, fences and hedges have been submitted to and approved by the Local Planning Authority. The boundary treatments approved shall remain in place in perpetuity or unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect the appearance of the area and to accord with policy GEN7 of the Arun Local Plan.

5 No dwelling hereby permitted shall be occupied until the recommendations made in Section 7.8 of the submitted "Transportation Noise Assessment (Residential Development) Issue 3 (16th September 2013)" have been implemented in full and thereafter permanently maintained.

Reason: To safeguard the amenity of dwellings.

6. The burning of materials obtained by site clearance or from any other source shall not take place within 6 metres of the furthest extent of the canopy of any tree or group of trees to be retained on the site or on land adjoining.

Reason: To protect trees and vegetation from fire damage in the interests of the visual amenities of the locality.

7a. Landscaping (hard and soft) shall be carried out in accordance with the details shown on plan (Detailed Soft Layout Proposals for Plots and Green JBA 13/63-01 Rev B). All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development within Phase 1 as detailed on drawing reference 5691/01 Rev N Site Layout Plan, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the 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.

7b. Landscaping (hard and soft) shall be carried out in accordance with the details shown on plan (Detailed Soft Layout Proposals for Plots and Green JBA 13/63-01 Rev B). All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development within Phase 2 as detailed on drawing reference 5691/01 Rev N Site Layout Plan, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

8. No development including site access, demolition or associated construction activities, shall take place on the site unless and until all the existing trees/bushes/hedges to be retained on the site have been protected by a fence in accordance with BS5837 (2012) and Section 9, to be approved by the Local Planning Authority for erection around each tree, group of trees and vegetation to a distance of 15m or to the Root Protection Area (RPA) as calculated in accordance with Table 2 of BS5837 (2012) to be agreed in writing by the Local Planning Authority.

Within the areas so fenced off the existing ground must not be cultivated, nor must it be lowered or raised or added to by the importation and spreading of top soil unless agreed by the Local Planning authority. There must be no materials, temporary buildings, plant machinery or

surplus soil placed or stored thereon without prior written approval of the Local Planning Authority.

No trenching should occur within the protective fencing surrounding the Root Protection Area. If however there is no alternative but to locate the services then its encroachment into the Root Protection Area must be kept to a minimum and where the roots should be exposed using compressed air technology, such as the air spade to reduce damage caused by mechanical methods. If roots requiring severance to allow for the passage of services is necessary then an arboriculturist would be required to assess and determine whether the loss of the roots would be detrimental to the continued health and stability of the affected tree.

Reason: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with policy GEN7 of the Arun District Local Plan.

9. An archaeological investigation of the site shall be carried out at the expense of the developer in accordance with a specification (written scheme of investigation) to be submitted to and agreed by the Local Planning Authority in writing following the demolition of any existing buildings and before the commencement of building works within Phase 1 as detailed on drawing reference 5691/01 Rev N Site Layout Plan.

9b. An archaeological investigation of the site shall be carried out at the expense of the developer in accordance with a specification (written scheme of investigation) to be submitted to and agreed by the Local Planning Authority in writing following the demolition of any existing buildings and before the commencement of building works within Phase 2 as detailed on drawing reference 5691/01 Rev N Site Layout Plan.

Reason: To ensure appropriate investigation and recording of archaeological Heritage Assets on the site prior to commencement of new building works.

10. Prior to the commencement of works on-site and in accordance with the Reptile Mitigation Method Statement July 2012 reptiles will be trapped, translocated and excluded from the development site under the supervision of the Ecological Clerk of Works. Receptor site treatment and all timings of works pertaining to the reptile mitigation shall be undertaken only in strict accordance with Reptile Mitigation Method Statement.

Reason: In the interest of protecting and conserving the ecological quality of the area in accordance NPPF paragraph 118.

11. No removal of trees or shrubs shall be carried out on site between March to August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority. Where vegetation must be cleared during the bird breeding season a check for nesting birds by a suitably qualified ecologist will be required. Any vegetation containing occupied nests will be retained until the young have fledged. The location details of the compensatory nesting provision to be supplied to the Local Planning Authority for approval prior to their erection.

Reason: In the interest of protecting and conserving the ecological quality of the area in accordance NPPF paragraph 118.

12a. Prior to the commencement of development within Phase 1 as detailed on drawing reference 5691/01 Rev N Site Layout Plan approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

12b. Prior to the commencement of development within Phase 2 as detailed on drawing reference 5691/01 Rev N Site Layout Plan approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with policy GEN7 of the Arun District Local Plan.

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

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with GEN7 of the Arun District Local Plan.

14. The development shall not commence until full details of the proposed foul water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. (Including details of its routing, design, and subsequent management/maintenance). No building shall be occupied until the foul water drainage scheme has been implemented in accordance with the approved details.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

15a. Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SUDS Manual produced by CIRIA.

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

No building shall be occupied within Phase 1 as detailed on drawing reference 5691/01 Rev N Site Layout Plan until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details.

15b. Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SUDS Manual produced by CIRIA.

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

No building shall be occupied within Phase 2 as detailed on drawing reference 5691/01 Rev N Site Layout Plan until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with

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policies GEN7 and GEN9 of the Arun District Council Local Plan.

16. Development shall not commence until full details of the maintenance and management of the SUDs system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturers recommended design life. Upon completed construction of the SuDs System, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure the efficient maintenance and on-going operation of the SuDs system and to ensure the best practice in line with guidance set out in 'The SuDs Manual' CIRIA publication ref: C697 Chapter 22.

17. No development shall commence until the vehicular access serving the development has been constructed in accordance with the approved planning drawing.

Reason: In the interests of road safety.

18. No part of the development shall be occupied until such time as the vehicular access providing access to the pumping station has been provided in accordance with the approved planning drawings.

Reason: In the interests of road safety.

19a. No part of the development within Phase 1 as detailed on drawing reference 5691/01 Rev N Site Layout Plan shall be first occupied until provision has been made within the site in accordance with plans and details to be submitted to and approved by the Local Planning Authority to prevent surface water draining onto the public highway.

19b. No part of the development within Phase 2 as detailed on drawing reference 5691/01 Rev N Site Layout Plan shall be first occupied until provision has been made within the site in accordance with plans and details to be submitted to and approved by the Local Planning Authority to prevent surface water draining onto the public highway.

Reason: In the interests of road safety.

20. No part of the development shall be first occupied until visibility splays of 2.4 metres by 60 metres have been provided at the proposed site vehicular access onto Toddington Lane in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety.

21. No part of the development shall be first occupied until pedestrian visibility splays have been provided either side of the proposed pedestrian accesses onto Toddington Lane in accordance with plans and details submitted to and approved in writing by the Local Planning

Authority. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety.

22. No part of the development shall be first occupied until the vehicle parking spaces and turning areas have been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking and turning space for the development.

23. The garage buildings shall be used only as private domestic garages for the parking of vehicles incidental to the use of the properties as dwellings and for no other purposes. Garages are to have minimal internal dimension of 6 metres x 3 metres.

Reason: To ensure adequate off-street provision of parking in the interests of amenity and highway safety.

24a. No development shall take place within Phase 1 as detailed on drawing reference 5691/01 Rev N Site Layout Plan, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

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

24b. No development shall take place within Phase 2 as detailed on drawing reference 5691/01 Rev N Site Layout Plan, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,

- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- measures to control the emission of dust and dirt during demolition and construction, lighting for construction and security,
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area.

25. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

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

26 .No part of the development shall be occupied until the road, footways, and casual parking areas serving the development have been constructed, surfaced and drained in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To secure satisfactory standards of access for the proposed development.

INFORMATIVE. Details regarding process for closure of existing crossovers/access can be obtained from: omc@westsussex.gov.uk

INFORMATIVE. Details of TRO process can be obtained from: westsussex.gov.uk

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. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

INFORMATIVE. Section 38 Agreement of the 1980 Highways Act - Provision of Adoptable Highway.

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 is requested 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.

INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning

(Development Management Procedure)(England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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.

LU/116/13/

Recommendation Report for Planning Permission

REF NO: LU/116/13/

LOCATION: Hollyacre
Toddington Lane
Littlehampton West Sussex

PROPOSAL: Demolition of existing commercial properties and erection of 63 residential dwellings, incorporating 16 affordable dwellings, parking provision, access and landscaping - This application is a Departure from the Development Plan

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This is a full application for the development of homes on land at Hollyacre, Toddington Lane, Littlehampton. The proposal is for 63 dwellings (including 16 affordable homes) with associated access, landscaping and ancillary works.

The proposal will be developed in two phases:

- Phase 1 Western Part of Site - 36 open market / 16 affordable
- Phase 2 Eastern Part of Site - 11 open market

The dwellings comprise the following mix of 2, 3 and 4-bed homes, detached, semi-detached and terraced:

Phase 1:

Open Market: 1 x 1 bed-flat; 3 x 2-bed flat; 32 x 3-bed houses; (36 in total)

Affordable: 2 x 2-bed flats; 6 x 2-bed houses; 6 x 3-bed houses (16 in total)

Phase 2:

Open Market: 10 x 3 bed-houses; 1 x 4 bed house (11 in total)

Vehicular access to the site is from a new bellmouth junction on the northern part of the site, from Toddington Lane.

Parking provision will be 111 allocated spaces with an additional 21 unallocated visitor spaces.

Public open space is to be sited in three locations across the site in the north west corner, centrally, and in the south-east corner of the site.

SITE AREA	1.67ha
RESIDENTIAL DEVELOPMENT DENSITY	37 dwellings per hectare.
TOPOGRAPHY	Predominantly flat though at a slightly higher level than Toddington Lane.
TREES	A number of trees along the front boundary and along the western boundary of the site will be removed to accommodate the development.
BOUNDARY TREATMENT	The South Coast mainline railway forms the southern boundary of the site. Toddington Lane forms the northern boundary. The existing eastern and western boundaries are distinguished by a mixture of hedgerows and mature trees.
SITE CHARACTERISTICS	The application site consists of two distinct areas. The western part is in horticultural use with evidence of recent use for growing tunnels. The eastern part of the site hosts a number of buildings which are host to some small businesses and the adjoining horticultural use.
CHARACTER OF LOCALITY	The area enjoys a semi - rural character with detached dwellings and nurseries fronting Toddington Lane and set back from it. The character of the area should be viewed in light of the outline planning permission granted for the construction of the "North Littlehampton" development of 1,260 homes, 13,000sqm of B1 employment floorspace, local community facilities, hotel, carehome, primary school, community centre and leisure facilities along with other community

facilities such as public open space and a new link road on a large area to the north and west of the application site.

RELEVANT SITE HISTORY

LU/238/91	Part Change of Use of agricultural building to use for storage of materials and plant associated with Venture Windows and Doors Ltd.(Includes office use).	Refused 16-10-1991 Appeal: Allowed/Temp 07 07 1992
LU/124/95	Renewal of temporary consent LU/238/91 for part change of use of agricultural building to use for storage of materials and plant associated with Venture Windows and Doors Ltd.(Includes office use).	ApproveConditionally 28-06-1995
LU/47/11/	Outline application with some matters reserved for mixed use development comprising: demolition of existing buildings and structures, up to 1,260 residential dwellings (out of a potential 1,460 dwelling masterplan), up to 13,000 sqm of B1 employment floorspace (including 3,000 sqm Enterprise Centre), up to 3,500 sqm of Class A local facilities, a 100 bed hotel, 60 bed care home, a new 2 Form Entry primary school, community centre, youth and leisure facilities, combined heat & power plant, extension to existing household recycling centre, landscaping, replacement and additional allotments, multi-functional green infrastructure including sports pitches (& associated changing facilities), informal open space, children's play areas, primary vehicular access from a new access from the A259 bridging over the railway line with additional access from Mill Lane & Toddington Lane. This application is the subject of an Environmental Impact Assessment & a departure from the development plan. This application affects a public right of way.	Approved Cond + S106 23-01-2013

There is no directly related planning history on the application site.

Application LU/47/11 grants permission for upto 1,260 homes, 13,000sqm of B1 employment floorspace, local community facilities, hotel, carehome, primary school, community centre and

leisure facilities along with other community facilities such as public open space and a new link road on a large area to the north of the application site.

The preparation of this application included a masterplan for the wider north Littlehampton Area and this plan identified this site for housing.

REPRESENTATIONS

Representations received:

Littlehampton Town Council

2 Letters of Objection from Littlehampton Town Council.

- Over development of the site.
- Failed to address previous concerns re parking
- Policy Site 7 has parking problems which are exacerbated as the lack of adoption means there is no enforcement
- Whilst there are more than two parking spaces per property identified on the application, many of these either use up all available highway space or are in restricted designated parking areas.
- There is no provision for any significant number of visitors or additional traffic to park on the site or even to park close to it. This means that it will either obstruct the highway around the development or Toddington Lane.
- Non-adopted highway will exacerbate parking.
- Allocated car spaces on the highway mean that there are no pavements on the site.
- No provision for public transport and proposal to reduce the number of entry points is questionable.
- S106 agreement should be more aligned to those that had been agreed for development North of Littlehampton and should be more focused on meeting the identified needs of the community such as provision for contributions towards a community centre, playgrounds, allotments and bus services.
- S106 should contribute towards the Fitzalan Road/Lyminster bypass

7 Letters of Objection:

- increased infill
- number of houses looks too high
- proposed site is cramped
- no information about solar energy or water butts
- What is the full impact on the road system on a small country lane on to the main road.
- road system is not able to cope with the building going on in this area.
- development is being rushed in advance of the North Littlehampton Development
- New bridge and road has not yet been built and development will use the existing Toddington Lane and Eden Park Estate.
- already 1,260 houses proposed
- more housing will clog up the area more than at present
- relocating existing glass houses will lead to job losses.
- should have consideration for the neighbouring properties.
- more houses will add to the already changing character of the area

Comments on Representations received:

The letters of objection are duly noted and the issues raised are discussed in conclusion to this report.

The Comments raised by Littlehampton Town Council are noted however the proposal provides ample parking provision with two dedicated spaces for every home and twenty visitor spaces. This exceeds the Council's policy requirement. The comments on shared spaces and approach to the highway on the site are noted though it is not agreed. Policy Site 7 only has very small areas of shared surfaces, there are numerous examples in the District where this approach has worked successfully without any detriment to pedestrians and cyclist. Members should be aware that the S106 agreement has been prepared to correspond with the agreement for the North Littlehampton Development and that contributions are directly proportional. Contributions will be made to the items listed in the consultation response.

CONSULTATIONS

WSCC Strategic Planning
Network Rail
Environment Agency
Southern Water Planning
Highways Agency
NHS West Sussex
Natural England
Sussex Police-Community Safety
Parks and Landscapes
Council's Arboriculturist
Environmental Health
Engineering Services Manager
Engineers (Fluvial Flooding)
Planning and Housing Strategy
Head of Planning Policy & Cons
Env. Amenities & Comm. Safety

Consultations responses received:

Housing Strategy and Enabling Manager - support

- The Council's Interim Affordable Housing Policy requires that developments of 15 or more units should aim to provide for an on-site affordable housing provision of 30%.
- In their application the developer has proposed that 16 (25%) of the dwellings should be for Affordable Rent. This level of provision would not normally be acceptable, but in this case the developer has provided a detailed viability report which demonstrates to my satisfaction that the scheme would not provide a sufficient return to either the land owner or developer if we required 30% affordable housing to be provided on-site.
- Therefore 25% affordable housing is a reasonable provision for this application.
- The developer is currently negotiating transfer terms with one of the Council's preferred register partners which may result in some of the open market homes being made available for affordable housing. This would be additional affordable units secured above the requirements of the s106 agreement.

Sussex Police - no objection

- Crime and prevention mentioned in the Design and Access Statement.
- Development has outward facing dwellings with overlooked in-curtilage parking and 2 rear parking courtyards which in the main are unobserved from active rooms in the dwellings.
- The unobserved car parks could become victims of vehicle crime.

- Open spaces are positioned well with very good surveillance from the surrounding dwellings.
- Pumping station should have a surrounding palisade fence.
- Fencing should take into account side access passages and allow overlooking.
- Lighting will be an important consideration.

Natural England- no objection.

- The ecological survey submitted with this application has not identified that there will be any significant impacts on statutorily protected sites, species or on priority Biodiversity Action Plan (BAP) habitats as a result of this proposal. However when considering this application the council should encourage opportunities to incorporate biodiversity in and around the development (Paragraph 118 of the NPPF).
- The proposed development is unlikely to have significantly different impacts on the natural environment than the original proposal.

Arun District Council Environmental Health - no objection

- Proposed acoustic measures set out in the applicants Noise Assessment at paragraph 7.8 should be secured through conditions.
- Phase 1 area is likely free of contaminants of concern
- Phase 2 area required further investigation around the vehicle workshop which hydrocarbon stained surfaces are present and in the areas of made ground with asbestos containing materials.
- Please apply suitable conditions.

Southern Water - no objection subject to requisition

- Currently inadequate capacity in the local network to provide foul sewage disposal to service the proposed development.
- Proposed development would increase flows to the public system.
- Additional off-site sewers or improvements to existing sewers will be required to provide sufficient capacity to service the development.
- Section 98 of the Water Act provides a legal mechanism through which the appropriate infrastructure can be requested.
- No public surface water sewers in the immediate vicinity to serve the development. Alternative means are required. The application suggests a Sustainable Urban Drainage System.

West Sussex County Council - Archaeology - no objection

- No objection subject to programme of archaeological investigation and recording in advance of construction (this is likely to require a 2 stage exercise taking into account issues of soil contamination in the eastern part of the site which may require remediation measures before archaeological monitoring and recording can proceed).
- Following permission, it is recommended that provision be made by means of a suitable planning condition a programme of archaeological investigation and recording, to take place (before the commencement of construction of any access road/s and services) to appropriately investigate and record any below ground heritage assets (archaeological features). The findings will be incorporated into a written report which will become publicly accessible through the West Sussex HER. The resulting archive (written report and site notes together with any artefacts) will be deposited in a suitable local museum or other repository.

Arun District Council Engineering Department - no objection

- Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures.
- The percolation tests and design must be carried out in accordance with BRE 365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 30% on stored volumes, as an allowance for climate change.
- Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location.
- Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design.

NHS - West Sussex - no objection

- Section 106 application for a developer contribution towards Healthcare Infrastructure improvements is entirely justified in this connection as, the site has the potential of Increasing the population of Littlehampton by a further 146 residents/patients.
- Accordingly, we are seeking a Section 106 developer contribution which amounts to £29,404 on a pro rata basis, (This equates to an average of £451 per for houses and £263 for flats)

Environment Agency - no objection

No objection subject to conditions relating to land contamination and sustainable urban drainage system.

Arun District Council Trees and Landscapes Manager- no objection

The proposed level of open space is below that required by the Open Space and Recreation Standards SPG. Therefore the following contributions are required:

- The offsite contribution for the deficit of open space
- A sum for offsite play provision - anticipate £1,000 per unit £63,000
- Further planting is required along the southern boundary and details for the access to this planting should be provided.

Arun District Council Cultural Development - no objection

In addition to the comments of the Trees and Landscapes Manager please note that we would be asking for the following provision in terms of leisure/sports requirements:

Swimming Pools - contribution of £21,432

Sports Halls - contribution of £27,119

Artificial Turf Pitches - contribution of £3,299

These figures are based on average population of 2.2 per household and using the Sport England calculator. All money would go towards realising the priorities of the Council's Leisure Strategy.

West Sussex County Council Highways and Transport - no objection subject to conditions and

S106

- Off-site highway works are required to support this development, such as footway provision and contributions to other nearby schemes forming part of the overall Toddington Nurseries package.
- The vehicular accesses are provided with visibility splays in accordance with appropriate design guidance - in this case Manual for Streets. (2.4m x 60m)
- Pedestrian and cycle crossing points for implementation in the future could be secured as part of the S106 Agreement if reciprocating infrastructure is not in place at the time of construction.
- A Stage 1 Road Safety Audit (RSA) has been provided and considers a number of road safety-related elements of the access proposals. This has been assessed by WSCC and is considered acceptable.
- The development will generate additional traffic when compared to the previous uses on the site. For the A.M. peak the increase would be 14 extra movements. For the P.M. peak, a further 30 vehicle movements are envisaged.
- The daily addition would be 182 vehicles compared to the previous use.
- Pedestrian: A footway is proposed to be constructed across the entire site frontage. An amended drawing (2012/1625/013 - June 2013 prepared by RGP Transport Planners) also proposes a 1.5m wide footway along the southern side of Toddington Lane, from the site running west to join with an existing footway on Mill Lane.
- Cycling: Due to low traffic speeds and current level of traffic using Toddington Lane, that on-carriageway cycling could take place.
- Bus Access: With the provision of the temporary footway along the southern side of Toddington Lane (see above), linking the site to other developments with footways/footpaths and, in turn, bus services, access by bus would be possible.
- Internal Layout: The internal development access road continues to form a 'loop' within the site but now is accessed off a single point of access to Toddington Lane.
- Parking courts continue to be provided at specific locations within the development. Pedestrian links are shown at several places.
- The entire layout (other than where the access point initially joins Toddington Lane) is designed as a shared surface.
- These vary between 3.5m (within shared surface) up to 5.0m (for the initial section of the eastern access road leading into the development)
- Bollards are provided at locations where the road is narrowed to prevent parking and ensure access for emergency vehicles.
- Road widths shown are accepted by the Highway Authority.
- All paths should be a minimum of 1.2m wide to be DDA compliant, with main paths having a width of 1.5m.
- Planting in and around dwellings is proposed to be kept to a maximum height of 0.6m to ensure forward visibility splays. This should be conditioned.
- Car parking: provides two parking spaces per dwelling and an additional 20 guest parking spaces. Spaces are well related to dwellings.
- Provision should be included within the S106 Agreement for the possible provision of waiting restrictions along the site frontage.
- Given the site's proximity and relationship to the strategic development site at Toddington Nurseries, off-site highway works and a financial contribution towards other highways infrastructure (e.g. Strategic works; bus services; bus stops etc.) should be secured from this development.
- Contributions should also be secured towards Strategic works (North Littlehampton Relief Road etc.); bus services; bus stops etc.

- The contribution proportionate to that secured for Toddington Nurseries (and based on the revised mix of 63 homes) is £120,700.
- Bus services contribution proportionate to Toddington Nurseries would be £10,206.
- Financial contribution should be secured in lieu of part-works at the junction of Mill Lane and Lyminster Road - again proportional to that secured as part of the Toddington Nurseries site.

Offsite Works on Toddington Lane

- The provision of a 1.5 metre wide footpath along the southern side of Toddington Lane is required to secure sustainable pedestrian access to the site.
- They can be mostly accommodated in the existing highway verge however it would require the highway to be narrowed for a section of approximately 40 metres.
- This results in a highway width of approximately 4.8 metres for this section.
- The applicants submitted a Road Safety Audit to WSCC which reviewed it and found the narrowing to this width to be unacceptably narrow with impacts on possible pedestrians using the footpath.
- As an alternative the applicants suggested introducing a give way arrangement requiring westbound vehicles to give way to eastbound vehicles.
- This would however reduce the carriageway to 3.5metres in width over a distance of approximately 40metres. Opposing vehicles would consequently have to give way and wait whilst an opposing vehicle is travelling through the narrowing.
- WSCC consider that as Toddington Lane is lightly trafficked that delays would be limited, and would not likely give rise to road safety issues.
- In principle, the narrowing would be acceptable to the Local Highway Authority.
- Narrowing should be lit, and a cycle by-pass provided.
- Detailed design to be advanced through S278 agreement following informal consultation with affected parties to take place prior to commencement of development.
- Due to the approved North Littlehampton development being required to provide a footpath on the northern side of Toddington Lane the narrowing proposed as part of the current application is therefore considered temporary and is needed only to provide safe access for pedestrians to the residential development presently being considered.
- Footway should be provided prior to first occupation.

West Sussex County Council S106 Requirements (Total £308,511)

Education

- Primary £126,866
- Secondary £136,542
- 6th Form £31,987

Libraries £11,814

Waste No contribution required

Fire and Rescue £1,303

Comments on Consultation responses:

The comments made by the various consultees are noted. The majority of issues raised are dealt with in the report below, through the proposed S106 agreements and where conditions have been requested these are included.

POLICY CONTEXT

Designation applicable to site:
Class C Road
Outside the Built-up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN32	Noise Pollution
	GEN33	Light Pollution
	GEN7	The Form of New Development
	GEN8	Development and the Provision of Infrastructure
	GEN9	Foul and Surface Water Drainage
	AREA10	Strategic Gaps

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to the character and appearance of the area, residential amenity and the impact upon the strategic gap.

The Development Plan consists of the Arun District Local Plan 2003.

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 would conflict with relevant Development Plan policies in that it would be sited on outside of the defined built-up area boundary and within the Littlehampton - Arundel Strategic Gap. However there are material considerations that outweigh this conflict such as housing provision and that the site is in a sustainable location; therefore a presumption in favour of development applies.

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.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council has recently published the Draft Arun Local Plan and is therefore a material consideration in the determination of this planning application. It remains subject to publication of a pre-submission Plan, formal public consultation, resolution of objections, examination and the formal adoption process as a whole, and it is therefore of very limited weight in terms of the decision making process at this stage.

CONCLUSIONS

The proposed development is for 63 dwellings to replace the existing commercial buildings and redundant horticultural structures. A total of 16 Affordable Housing units will be included in the development.

This application must be considered in relationship to the outline application for the North Littlehampton Masterplan (LU/47/11), for which planning consent was granted. Application LU/47/11 was accompanied by a masterplan for the whole of North Littlehampton. The site currently being considered was identified within this masterplan but outside of the planning application site. The masterplan further referred to 'about 200 dwellings to be provided on land not controlled by the applicants', sets out plans for the future development of the surrounding area, and supports the principle of residential redevelopment in this area.

PRINCIPLE of DEVELOPMENT

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The NPPF was published in March 2012. It sets out a presumption in favour of sustainable development. One of the aims is to significantly boost the supply of housing. It requires Local Planning Authorities to identify sites to meet the housing need for their locality. This framework is the most recently adopted national policy and is an important material consideration in this case.

Paragraph 47 sets out that Local Planning Authorities should use their evidence base to ensure their Local Plans meet the objectively assessed needs for market and affordable housing as well as identifying sites sufficient to provide five years' worth of housing against their housing requirements with an additional 5% buffer to ensure choice and competition in land marketing. Or a 20% buffer where there has been a record of persistent under delivery.

Paragraph 49 advises that housing applications should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of housing sites.

DEVELOPMENT PLAN POLICIES

The Local Plan Proposals Map identifies that the application site is located outside of the existing built-up area of Littlehampton and the site is therefore contrary to Policies GEN2 and GEN3 of the Arun Local Plan. Furthermore, Policy AREA10 states that Strategic Gaps, as identified on the Proposals Map, will be maintained and protected between a number of settlements including Arundel and Littlehampton. The gap was included in the Local Plan with a view to protecting the separate identities of Arundel and Littlehampton.

However, the site is located to the south of an area of land which was granted Planning Permission subsequent to application LU/47/11. The application LU/47/11 included a masterplan for the whole area surrounding the site and included this site as an area for future housing. The application permits a major urban extension comprising upto 1,260 homes, 13,000sqm of B1 employment floorspace, local community facilities, hotel, care home, primary school, community centre and leisure facilities along with other community facilities such as public open space and a new link road on a large area to the north of the application site. The proposal also includes the provision of measures to improve the sustainability of the location including a new bus service,

and a dedicated cycle path linking the site to surrounding areas.

This site is very well related to this urban extension and will be able to link in with the services and facilities brought forward under that scheme. The proposed application has considered the approved development in its design scheme and proposes to make S106 payments that are in proportion to the approved application.

The site's location has been previously identified as being in a sustainable location, is well related to the existing town and is located adjacent to an area of a future development. The proposed development will relate well to the approved scheme, being designed on the same design principals and make a proportional contribution to infrastructure. It is therefore considered that the principal of development is acceptable.

MATERIAL CONSIDERATIONS

It is considered that the following planning issues are material considerations in the determination of this application:

- Sustainability and Suitability of Location for Housing Development
- Layout and Public Open Space
- Character and Appearance of the Dwellings
- Highways and Access
- Infrastructure (Section 106 Agreement) and the Provision of Affordable Housing
- Technical issues

SUSTAINABILITY AND SUITABILITY OF THE LOCATION FOR HOUSING DEVELOPMENT

The site is located immediately abutting the built up area boundary and is in a sustainable location which has previously been identified as suitable for future housing development. In terms of accessibility to services and public transport links such as bus and train services the applicant has agreed to enter into a S106 agreement to secure off site highway improvements to ensure the sustainability of the location prior to the occupation of local residents.

Pedestrians - A footway is proposed to be constructed across the entire site frontage. An amended drawing (2012/1625/013 - June 2013 prepared by RGP Transport Planners) also proposes a 1.5m wide footway along the southern side of Toddington Lane, from the site running west to join with an existing footway on Mill Lane. No footway continues east from the site.

The County Council's consultation response considers that this footway to the west of the site along Toddington Lane is essential to demonstrate sustainable access to the site. However, the Highway Authority requires further works (or a financial contribution in proportion to the Toddington Lane Nurseries) to be provided by this development. The proposed footway and other knock-on effects (reduced road width along Toddington Lane) have been Safety Audited and a proposed build out required to ensure the safety of pedestrians.

Cycling - There are no dedicated cycle facilities in the vicinity of the site but much of the local area is subject to a 30mph speed limit, making cycling a viable alternative for at least local journeys and perhaps further afield for more experienced/confident cyclists. With cycle parking available at the train station and a cycle carriage available on most routes with Southern Trains, the

opportunity for cycle/train journeys can also be considered viable.

Bus - The closest bus routes are available along the A259 Littlehampton Road (some 800-900m south of the site) and along the Lyminster Road, also approximately some 800-900m from (west) of the site. However, walking and cycling routes to those are not available close to the site (as mentioned above), only starting some 150m south of the nearby Toddington Lane railway crossing and approximately 500-600m west of the site. Proposals to introduce a bus service are included as part of the Toddington Nurseries development at an appropriate trigger point (see S106 Agreement).

The applicants have proposed to provide a temporary footway along the southern side of Toddington Lane, linking the site to other developments with footways/footpaths and, in turn, bus services, therefore access by bus would be possible.

As detailed elsewhere in this report proposals to improve overall sustainable access of the area are included as part of the Lyminster By-pass/Fitzallan Link Road proposals. The County Highway Authority considers that infrastructure improvements should be provided by this development before development is occupied and contributions secured as part of any planning permission. The applicant has agreed to this.

It is therefore considered that the long term sustainable access of the site will be improved with the development of the adjoining site. The application will include proportional contributions towards this strategic infrastructure. The applicants have proposed the construction of a footpath to the west of the site to ensure that the site can be sustainably accessed from the time of first occupation. It is therefore considered that the site will be in a sustainable location and suitable for residential development.

LAYOUT AND PUBLIC OPEN SPACE

Urban Design

The site is laid out along a perimeter block principle with homes fronting onto the main circulation road. This design approach provides a clear distinction between public, communal and private areas. By doing this, those visiting or passing through the development are made to feel welcome in the public areas of the site, but discouraged from entering communal or private areas.

The public open space is distributed throughout the site in three locations. At the north west corner the open space is overlooked by a number of homes. By siting the amenity space in this location at the edge of the site, and open to existing streets creates a new public space, with a sense that it is accessible to all. At the southern central section of the site further public open space is laid out in a formal square with properties fronting onto it ensuring overlooking and a sense of ownership. In the south east corner the site a further area of open space allows a soft edge to the development which helps protect the amenity of adjacent properties to the east.

The proposed development is accessible to pedestrians via footpaths at the north-east and north-west corners. This encourages access to the internal open space and allows people to travel through the site helping it to integrate with the surrounding area.

The edges of this scheme has been set out in a way which presents an open frontage. Houses

face towards the road, including using special corner units which avoid blank gables. Open spaces, and the wide main access roads allow long view-lines into the site, feature buildings at the end of these views will help draw people into the development, while the well over-looked spaces help give a sense of neighbourhood identity.

The homes facing onto Toddington Lane have front doors facing onto the public road. The front doors generate activity on the street while a degree of privacy is given to ground floor rooms through landscaping, without the need for visual barriers.

Provision of Public Open Space

The District Council's adopted Supplementary Planning Document provides guidance on the amount of open space to be provided in housing developments. For the development proposed the SPD identifies that an area of 3,628 square metres of public open space will be required. The applicants propose to include an area of open space measuring 2,130 square metres which is 1,498 square metres below that set out in the SPD.

As detailed in the Principle of Development section of this report an important consideration in determining this application has been the relationship between this site and the approved scheme for 1,260 houses to the north. The approved master plan for the area shows significant areas of public open space that are intended to provide facilities to the wider Littlehampton area. Due to the proximity of this strategic open space it is considered suitable that the application should make a financial contribution of £26,019 towards the larger strategic open space.

The Council's Parks and Landscapes Manager considers that this arrangement will ensure sufficient open space is available on site to ensure a high quality environment for residents, while the contribution towards the strategic open space will ensure high quality sports facilities are delivered in a comprehensive rather than piecemeal manner.

It is therefore considered that the proposed level of public open space is suitable subject to the applicants entering into a S106 agreement to ensure the delivery of the onsite plays space and a contribution towards off site strategic plays pace.

Shared Surfaces

As the development is likely to have a low level of motorised traffic, the applicants have designed the street as a shared surface "Home Zone" style shared surface. Paragraph 35 of the National Planning Policy Framework supports the establishment of home zones to create safe and secure layouts. Key to the creation of Shared Spaces is the removal of the distinction between roadway and pavement. The resultant blurring between the two encourages people to exercise their natural caution and results in slower traffic speeds and a safer environment for pedestrians and drivers alike.

The application proposals use of shared surface will give clear priority to pedestrians and cyclists and will ensure very low traffic speeds throughout the scheme. Road widths vary between 3.7m and 4.1m but widen out where car parking areas appear throughout the layout. This ensures that there are plenty of areas for cars to park whilst reducing the opportunities for people to park indiscriminately and inappropriately.

It is considered that the layout of the scheme is well considered and ordered and can be commended. The layout creates a distinctive form of development that responds well to its environment. It is felt that the layout embraces the requirements of the NPPF, in respect of the need to create a high standard of environment for residents, which is also reflected in the requirements of Local Plan Policy GEN7 and paragraphs 56, 58 and 65 of the NPPF. In this respect, the proposed development should be supported.

CHARACTER AND APPEARANCE OF DWELLINGS

The elevations are based on a relatively simple style of housing with a small palette of largely traditional materials, used regularly to create rhythm within the street-scenes. Fenestration is limited to traditionally proportioned casement windows. Feature elements are introduced in limited amounts only where appropriate, and include use of flint and stock brick, tile hanging, exposed rafter feet, brick window heads and a variety of porches. Other architectural details include brick cills and chimneys, used appropriately to reflect the importance of the various locations within the scheme.

Dwellings are all two-storey reflecting the surrounding residential areas and the general principle within the North Littlehampton masterplan. Two dwellings along the Toddington Lane frontage have flint detailing, reflecting the listed flint buildings to the north-east.

Two dwellings (the flats over garaging) have weatherboarding, one being ebony stained and one of a cream colour.

The eight dwellings north and south of the central public garden space are designed as traditionally rendered dwellings with larger sash appearance windows with deeper proportions. These dwellings would have slate roofs to create a distinct style in this area. Metal railings are proposed to define this central public garden area.

Elsewhere throughout the site dwellings are either brick or brick with tile hanging above. Where tile hanging is used, feature tiles are utilised to create additional interest. With the exception of the rendered dwellings, roofs will have plain tiles with two different colours being used for some variation and interest.

The proposed street scenes demonstrate a variety of housing types and finishes. This creates interest and presents an organic feel to the proposed dwellings.

In conclusion it is felt that the scheme demonstrates the sensitive approach to urban design required by Policy GEN7 of the Local Development Plan and paragraph 56, 58 and 65 of the NPPF.

HIGHWAYS AND ACCESS

Paragraph 32 of the National Planning Policy Framework states:

"All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."

The County Council have assessed the impact of the proposals taking into account future planned development in the vicinity of the site. They have identified that off-site highway works are required. These include:

- Provision of a new footway along the southern side of Toddington Lane to connect the site to existing footpath network
- Improvements to the Mill Lane/Lyminster Road junction to the west of the site to provide a more suitable layout
- The payment of a proportionate contribution to off-site strategic highway works in line with the contributions received in support of the North Littlehampton Development.

In terms of traffic impact the development will generate additional traffic when compared to the previous uses on the site. For the A.M. peak, the increase would be 14 extra movements. For the P.M. peak, a further 30 vehicle movements are envisaged. The daily addition would be 182 vehicles compared to the previous use. The Transport Statement states that based on the future development and roads scenario proposed as part of the Toddington Nurseries application north of the site, the additional traffic impact brought about by the proposed Hollyacres development at both the Lyminster By-pass/Fitzalan Link Road junction and the Mill Lane/Lyminster Road junction would result in approximately 1 extra vehicle every two minutes through these junctions.

As discussed above in West Sussex County Council's consultation response the provision of a 1.5 metre wide footpath along the southern side of Toddington Lane is required to secure sustainable pedestrian access to the site. They can be mostly accommodated in the existing highway verge however it would require the highway to be narrowed for a section of approximately 40 metres. The applicants suggested introducing a give way arrangement requiring westbound vehicles to give way to eastbound vehicles. In principle, the narrowing would be acceptable to the Local Highway Authority providing that it is lit and a cycle by-pass provided.

West Sussex County Council consider the build out to be essential for safe pedestrian access. Without safe pedestrian access the site would be considered unsustainable and would not be recommended for approval. While the build out will have potential to impact journey times, and will be an inconvenience to local traffic at times, it also potentially could prevent Toddington Lane being used as a rat run. Overall, in the absence of an objection from West Sussex County Council on technical grounds the proposed build out to secure pedestrian access is acceptable.

Policies GEN7(iii) and GEN12 the Local Plan outline the requirements for parking provision and access to new developments, in conjunction with the County Council's (maximum) parking standards. Policy GEN15 requires provision of cycle storage facilities in new developments.

The proposed layout shows a total of 111 parking spaces, of which a proportion will be provided in the form of garages, which will be 6m in length to also allow the storage of cycles. 20 visitor's parking spaces have also been provided throughout the development. In total the proposed level

of parking represents a provision of 2.09 spaces per dwelling.

Parking provision at this level is in accordance with the outline planning permission and policy GEN12 of the Arun District Local Plan and it is felt that the scheme strikes an appropriate balance between parking provision and ensuring that the scheme is not over engineered and designed around the motor vehicle.

There is no objection to the proposal or the detailed design of the access from West Sussex County Council and the application is considered to meet the policies and guidance cited above. Furthermore, the application will make a proportionate contribution towards the overall highway infrastructure being brought forward as part of the North Littlehampton development.

INFRASTRUCTURE (SECTION 106 AGREEMENT AND THE PROVISION OF AFFORDABLE HOUSING

The applicants have proposed a package of infrastructure contributions and affordable housing contribution that is proportionally related to the adjacent approved strategic development North Littlehampton. This approach ensures that the application scheme provides a level of infrastructure contribution that adequately addresses its own requirements and contributes to wider strategic infrastructure that will be delivered through the North Littlehampton Development (LU/47/11).

The following contributions will be delivered through a S106 agreement:

1) Health Care Contribution

£29,404; Money to be spent on provision of new healthcare facilities within Littlehampton.

2) Highways and transport

- Strategic Highways Infrastructure £120,700; Contribution to be used for the delivery of the northern section of the Lyminster by-pass within 15 years of payment date of the contribution.
- Bus Service Contribution £10,260 (new bus service to be subsidised.)
- Contribution towards to Junction Improvement works at Mill Lane/Lyminster Road (through S278 agreement - approx £150,000 details to be submitted to and approved in writing by the local planning authority prior to commencement)
- Traffic Regulation Order for northern boundary of the site £6,000
- Provision of a Travel Plan

3) Leisure Contribution

- Swimming Pools Contribution £21,432; Money to be spent on improvements to Littlehampton Swimming Pool
- Sports Halls Contribution £27,119; Money to be spent on improvements to or provision of facilities in Littlehampton
- Artificial Turf Pitches Contribution £3,229, Money to be spent on improvements to or provision of facilities in Littlehampton

4) On-site Public Open Space

- 2,130 square metres to be provided on site within development proposals. Space to be laid out prior to the occupation of 75% of the dwellings in that phase.

5) Offsite Public Open Space Contribution

£26,019; contribution towards provision on the adjacent North Littlehampton Proposals.

6) Children's Play Facilities

£66,000; contribution towards facilities to be provided on the adjacent North Littlehampton Proposals.

7) Education

- Primary £126,866; Money to be spent on provision of additional primary school places within Littlehampton (preference for money to be spent on school on Toddington Nursery primary school site)

- Secondary £136,542; Money to be spent on provision of additional secondary school places within Littlehampton.

- 6th Form £31,987; Money to be spent on provision of additional secondary school places within Littlehampton.

8) Libraries

£11,814; Provision of library drop off/pick up facilities within community centre within Littlehampton

9) Fire and rescue services

£1,303; To be spent on improvements to fire services in the south of The County

10) Community Centre

£49,999; Money to be spent on a new community centre in the Littlehampton Area (preference for money to be spent on proposed Community Centre on Toddington Nursey Site).

As a result of the level of infrastructure contribution being proportionally related to the North Littlehampton scheme, the applicants have considered that the application would be unviable due to the level of contributions. The applicants highlighted that the North Littlehampton Scheme was only required to deliver 25% affordable housing. The applicants submitted a Viability Assessment using the Council's viability calculator which demonstrates that the scheme was not viable, therefore the proposed scheme only includes 25% affordable housing.

The Council's Housing Strategy and Enabling Manager has evaluated this viability assessment and in this instance considered that a reduction in affordable housing delivery to 25% is considered acceptable. Therefore the proposed scheme will include 16 units available for affordable rent through the section 106 agreement.

While not a material planning consideration, the Committee should be aware that the applicant intends to sell the scheme to Worthing Homes, a registered social landlord, and it is anticipated that a number of the homes identified presently as "open market" housing may come forward for social rent.

Worthing Homes have indicated that the scheme will include a further 4 affordable rent and 14 shared ownership units. Worthing Homes will offer 18 homes for market sale. A separate developer will offer the remaining 12 units in phase 2 for market sale.

Therefore a total of 54% of the development may eventually come forward for social and affordable housing.

The NPPF places significant emphasis on local planning authorities being aware of the difficulties of housing viability and encourages planning decisions that look to find solutions to problems. In this context it is considered that the proposed scheme will make a suitable adequate contribution to social infrastructure, highways and affordable housing. It is therefore considered that the proposed schemes departure from the development plan by providing a reduced level of affordable housing and less public open space than required by the Council's SPD is acceptable, as it will ensure that the scheme will contribute to the wider infrastructure requirements necessary for the sustainable development of the area.

TECHNICAL MATTERS

ARCHAEOLOGY

The proposed development and application is subject to a desk based archaeological assessment. This has identified a low potential for archaeological remains. The County Archaeologist considers to be a high potential based on recent archaeological surveys for the nearby Eden Park development.

It is therefore recommended that if planning permission is granted any below ground archaeological remains likely to be destroyed by development are identified, quantified and adequately investigated and recorded. This should be secured through condition.

ECOLOGY

The site is currently a commercial nursery complex. The County Ecologist has raised no objection the proposals, however this is subject to a condition of any approval to ensure ecological mitigation and enhancement plans are agreed and implemented prior to development taking place.

FLOODING & DRAINAGE

The site is located within flood zone 1, classified on the Environments Agency's flood map; it is therefore in a location which has a low risk of flooding.

There will be an increase in the impermeable area following the development but run-off from the development will be disposed of by infiltration within the site boundary. The proposed drainage system should be designed to ensure that the proposed dwellings are protected against flooding

for storm events up to 1:100 year return period including an allowance for the effects of climate change by applying an increase in the rainfall intensity of 30%. The proposed surface water drainage is proposed to include infiltration techniques such as porous paving and soakaways. These will be secured through condition.

The risk of flooding elsewhere will remain unchanged. A new foul sewer network should be constructed on the site to serve to proposed dwellings. A new pumping station will be required on the site discharging to an existing foul sewer located in Mill Lane.

OVERALL CONCLUSIONS

The National Planning Policy Framework has at its core a 'presumption in favour of sustainable development' and where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless there are any adverse impact that would significantly or demonstrably outweigh the benefits. These are factors that weigh heavily in favour of allowing development.

The site's location has been previously identified as being in a sustainable location, is well related to the existing town and is located adjacent to an area of a future development. The proposed development will relate well to the approved scheme, being designed on the same design principals and make a proportional contribution to infrastructure. It is therefore considered that the principal of development is acceptable.

The assessment of the application has not identified any technical issues that would require refusal of the application. It is considered that the applicants design approach and detailed building design are suitable and represent a high quality development.

It is therefore considered that in accordance with relevant policy and other material considerations, there are significant arguments in favour of supporting the development proposed.

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 for 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 a neutral impact has 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).

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

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

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

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

Drawing Reference 5691/01 Rev N Site Layout Plan
Drawing Reference 5691/150 Plots 1 - 4 Plans
Drawing Reference 5691/151 Plots 1 - 4 Elevations
Drawing Reference 5691/152 Plots 5 - 7 Plans & Elevs
Drawing Reference 5691/153 Plots 8 - 10 Plans & Elevs
Drawing Reference 5691/154 Plots 11 - 13 Plans & Elevs
Drawing Reference 5691/155 Plots 14 - 16 Plans & Elevs
Drawing Reference 5691/156 Plots 17 - 18 Plans & Elevs
Drawing Reference 5691/157 Plots 19 - 20 Plans & Elevs
Drawing Reference 5691/158 Plots 21 - 26 Plans
Drawing Reference 5691/159 Plots 21 - 26 Elevations
Drawing Reference 5691/160 Plots 27 - 30 Plans
Drawing Reference 5691/161 Plots 27 - 30 Elevations
Drawing Reference 5691/162 Plots 31 - 32 Plans & Elevs
Drawing Reference 5691/163 Plots 33 - 35 Plans
Drawing Reference 5691/164 Plots 33 - 35 Elevations
Drawing Reference 5691/165 Plots 36 - 39 Plans
Drawing Reference 5691/166 Plots 36 - 39 Elevations
Drawing Reference 5691/167 Plots 40 - 41 Plans & Elevs
Drawing Reference 5691/168 Plots 42 - 43 Plans & Elevs
Drawing Reference 5691/169 Plots 44 - 45 Plans & Elevs
Drawing Reference 5691/170 Plot 46 Plans & Elevs
Drawing Reference 5691/171 Plots 47 - 48 Plans
Drawing Reference 5691/172 Plots 47 - 48 Elevations
Drawing Reference 5691/173 Plots 49 - 50 Plans & Elevs
Drawing Reference 5691/174 Plots 51 - 52 Plans
Drawing Reference 5691/175 Plots 51 - 52 Elevations
Drawing Reference 5691/176 Plot 53 Plans & Elevs
Drawing Reference 5691/177 Plots 54 - 56 Plans
Drawing Reference 5691/178 Plots 54 - 56 Elevations
Drawing Reference 5691/179 Plots 57 - 59 Plans
Drawing Reference 5691/180 Plots 57 - 59 Elevations
Drawing Reference 5691/181 Plot 60 Plans & Elevs

Drawing Reference 5691/182 Plot 61 Plans & Elevs
Drawing Reference 5691/183 Plots 62 - 63 Plans & Elevs
Drawing Reference 5691/184 Garages Plots 56-57/60-61

Detailed Soft Layout Proposals for Plots and Green JBA 13/63-01 Rev B
Drainage Strategy SK201 Rev B

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

- 3 No development shall be carried out unless and until a schedule of 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. A '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 materials and '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 detail in the interests of amenity by endeavouring to achieve buildings of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 4 No dwellings hereby approved shall be occupied until a scheme showing details of proposed boundary screen walls, fences and hedges have been submitted to and approved by the Local Planning Authority. The boundary treatments approved shall remain in place in perpetuity or unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect the appearance of the area and to accord with policy GEN7 of the Arun Local Plan.

- 5 No dwelling hereby permitted shall be occupied until the recommendations made in Section 7.8 of the submitted "Transportation Noise Assessment (Residential Development) Issue 3 (16th September 2013)" have been implemented in full and thereafter permanently maintained.

Reason: To safeguard the amenity of dwellings.

- 6 No development shall take place until details (including all the requirements set out in West Sussex County Council's Developers Guidance Note for Developer Funded Traffic Engineering and Traffic Calming Schemes) of the following works to the highway have been submitted to and been approved in writing by Local Planning Authority in consultation with the Local Highway Authority:

- Proposed pedestrian footpath and one-way priority scheme on Toddington Lane.

The dwellings hereby permitted shall not be occupied until these works have been completed in accordance with the approved details.

Reason: To ensure that all road works associated with proposed development are to a standard approved by the Local Planning Authority and are completed before occupation.

- 7 The burning of materials obtained by site clearance or from any other source shall not take place within 6 metres of the furthest extent of the canopy of any tree or group of trees to be retained on the site or on land adjoining.

Reason: To protect trees and vegetation from fire damage in the interests of the visual amenities of the locality.

- 8 Landscaping (hard and soft) shall be carried out in accordance with the details shown on plan (Detailed Soft Layout Proposals for Plots and Green JBA 13/63-01 Rev B). All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

- 9 No development including site access, demolition or associated construction activities, shall take place on the site unless and until all the existing trees/bushes/hedges to be retained on the site have been protected by a fence in accordance with BS5837 (2012) and Section 9, to be approved by the Local Planning Authority for erection around each tree, group of trees and vegetation to a distance of 15m or to the Root Protection Area (RPA) as calculated in accordance with Table 2 of BS5837 (2012) to be agreed in writing by the Local Planning Authority.

Within the areas so fenced off the existing ground must not be cultivated, nor must it be lowered or raised or added to by the importation and spreading of top soil unless agreed by the Local Planning authority. There must be no materials, temporary buildings, plant machinery or surplus soil placed or stored thereon without prior written approval of the Local Planning Authority.

No trenching should occur within the protective fencing surrounding the Root Protection Area. If however there is no alternative but to locate the services then its encroachment into the Root Protection Area must be kept to a minimum and where the roots should be exposed using compressed air technology, such as the air spade to reduce damage caused by mechanical methods. If roots requiring severance to allow for the passage of services is necessary then an arboriculturist would be required to assess and determine whether the loss of the roots would be detrimental to the continued health and stability of the affected tree.

Reason: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with policy GEN7 of the Arun District Local Plan.

- 10 An archaeological investigation of the site shall be carried out at the expense of the developer in accordance with a specification (written scheme of investigation) to be submitted to and agreed by the Local Planning Authority in writing following the demolition of any existing buildings and before the commencement of building works.

Reason: To ensure appropriate investigation and recording of archaeological Heritage Assets on the site prior to commencement of new building works.

- 11 Prior to the commencement of development, a strategy for the provision of the highest available headline speed of broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall take into account the timetable for the delivery of "superfast broadband" (defined as having a headline access speed of 24Mb or more) in the vicinity of the site (to the extent that such information is available). The strategy shall seek to ensure that upon occupation of a dwelling, the provision of the highest available headline speed of broadband service to that dwelling from a site-wide network is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site shall be carried out in accordance with the approved strategy.

Reason: To ensure suitable provision for all potential occupiers in accordance with paragraph 42 of the NPPF.

- 12 Prior to the commencement or works on-site and in accordance with the Reptile Mitigation Method Statement July 2012 reptiles will be trapped, translocated and excluded from the development site under the supervision of the Ecological Clerk of Works. Receptor site treatment and all timings of works pertaining to the reptile mitigation shall be undertaken only in strict accordance with Reptile Mitigation Method Statement.

Reason: In the interest of protecting and conserving the ecological quality of the area in accordance NPPF paragraph 118.

- 13 No removal of trees or shrubs shall be carried out on site between March to August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority. Where vegetation must be cleared during the bird breeding season a check for nesting birds by a suitably qualified ecologist will be required. Any vegetation containing occupied nests will be retained until the young have fledged. The location details of the compensatory nesting provision to be supplied to the Local Planning Authority for approval prior to their erection.

Reason: In the interest of protecting and conserving the ecological quality of the area in accordance NPPF paragraph 118.

- 14 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors

- potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with policy GEN7 of the Arun District Local Plan.

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

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with GEN7 of the Arun District Local Plan.

- 16 The development shall not commence until full details of the proposed foul water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. (Including details of its routing, design, and subsequent management/maintenance).

No building shall be occupied until the foul water drainage scheme has been implemented in accordance with the approved details.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

- 17 Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SUDS Manual produced by CIRIA.

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

No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

- 18 Development shall not commence until full details of the maintenance and management of the SUDs system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturers recommended design life. Upon completed construction of the SuDs System, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure the efficient maintenance and on going operation of the SuDs system and to ensure the best practice in line with guidance set out in 'The SuDs Manual' CIRIA publication ref: C697 Chapter 22.

- 19 No development shall commence until the vehicular access serving the development has been constructed in accordance with the approved planning drawing.

Reason: In the interests of road safety.

- 20 No part of the development shall be first occupied until provision has been made within the site in accordance with plans and details to be submitted to and approved by the Local Planning Authority to prevent surface water draining onto the public highway.

Reason: In the interests of road safety.

- 21 No part of the development shall be first occupied until visibility splays of 2.4 metres by 60 metres have been provided at the proposed site vehicular access onto Barnham Road in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety.

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

Reason: To provide car-parking space for the use

- 23 The garage buildings shall be used only as private domestic garages for the parking of vehicles incidental to the use of the properties as dwellings and for no other purposes. Garages are to have minimal internal dimension of 6 metres x 3 metres.

Reason: To ensure adequate off-street provision of parking in the interests of amenity and highway safety.

- 24 No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning

Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

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

Reason: In the interests of highway safety and the amenities of the area.

- 25 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

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

- 26 No part of the development shall be occupied until the road, footways, and casual parking areas serving the development have been constructed, surfaced and drained in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To secure satisfactory standards of access for the proposed development.

- 27 Development shall not commence until full details of the scheme to control surface water drainage during the construction phase has been submitted to and approved in writing by the Local Planning Authority. The scheme must prevent any increase in surface water run-off from the site in order to protect surrounding properties during the construction phase of the development. The construction phase shall not commence until the approved scheme has been completed to the satisfaction of the Local Planning Authority. The developer must allow access to the Councils Drainage Engineers at any time to monitor the construction and effectiveness of the scheme during the construction process.

Reason: To ensure that the proposed development is satisfactorily drained and does not increase surface water flooding within the locality in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

- 28 **INFORMATIVE:** Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal

to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.