

Recommendation Report for Planning Permission

REF NO: LU/116/21/PL

LOCATION: Land South Of The Littlehampton Academy
Fitzalan Road
Littlehampton
BN17 6ED

PROPOSAL: Erection of 112 No. residential units with access from Fitzalan Road, open space, hard and soft landscaping works, internal roads/footways, car and cycle parking, substation, bin store and associated engineering and infrastructure works. This site is in CIL Zone 4 (Zero Rated).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application comprises 112 dwellings with associated access off Fitzalan Road, internal roads, parking, a substation, refuse storage, cycle storage and landscaping. The layout comprises a mix of dwelling types and tenure delivered through a flat block of 32 dwellings and 80 houses arranged around two main areas of public open space. The development would provide 23 one bedroom flats, 9 two bedroom flats, 26 two bedroom houses and 54 three bedroom houses. The design of the proposed residential dwellings has been driven by the applicant's approach to development which uses Modern Methods of Construction (MMC) to provide modular housing.

178 car parking spaces are provided comprising parking on private drives, allocated parking, visitor parking and car club parking.

SITE AREA 2.4 ha

RESIDENTIAL DEVELOPMENT DENSITY (NET) 47 dwellings per hectare.

TOPOGRAPHY Predominantly flat.

TREES None of any significance affected by the proposed development.

BOUNDARY TREATMENT Various. Mix of hedging and fencing. The site is bounded by the recently built Littlehampton Academy to the north and the access road to the west. To the south is Rosemead Park with a public footway running east-west along the southern boundary of the site.

SITE CHARACTERISTICS The site was previously occupied by the buildings and facilities of Littlehampton Community School, which has been demolished. The site is generally level with no landscape features. The site has been unmanaged since the demolition

of the school resulting in parts of it becoming overgrown with scrub and spoil heaps left on site.

CHARACTER OF LOCALITY

Mainly residential. Residential properties to the east and west. The site is immediately to the south of Littlehampton Academy and to the east of Fitzalan Road. A children's day nursery is to the east of the site. A footpath and cycleway (Public Right of Way 3104) extend along the site's southern boundary with Rosemead Park, a public park and play area, immediately beyond to the south.

RELEVANT SITE HISTORY

LU/55/15/OUT	Application for outline planning permission with some matters reserved for 68 No. dwellings (resubmission following LU/51/14/).	ApproveConditionally 28-09-16 Appeal: Allowed+Conditions 28-09-16
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LU/55/15/OUT was refused by the Local Planning Authority, but allowed on appeal.

The proposal was outline permission for 68 dwellings, with all matters reserved except access. The reason for refusal was failure to deliver adequate infrastructure.

REPRESENTATIONS

Littlehampton Town Council - No Objection.

- Welcomed the further engagement by the applicant with nearby schools particularly in relation to the areas of concern previously highlighted and their commitment to continue this dialogue.
- Overall content that their original objections had been satisfactorily addressed.

20 Support:

- The development is on a brownfield site in a sustainable location.
- Concern site was stripped of vegetation before application was submitted without any ecology & wildlife study.
- Careful attention needs to be paid to traffic management and pedestrian safety in the immediate vicinity of the application site.
- Contributions towards further improvements to play areas should be secured.
- This development should count towards any revised housing target in the Littlehampton area as a result of the Local Plan review as the proposal exceeds that set out for the site in the NP.
- A brilliant idea. Affordable housing is much needed in Littlehampton, particularly for single people.
- We need more housing for local families and young people. Consideration should be given to ensuring local people get a chance to purchase these homes and they aren't mass bought by 'Buy to let' companies.
- Love the open spaces.
- Hope it will encourage walking and cycling.
- Innovative development.
- Essential that no vehicular access can be gained from the site to the Footpath bounding north of Rosemead Park and south of the site.
- The height of the block of flats is ameliorated by flat roof, minimal pitch, and probably no higher than the

height at the Academy.

- Would be great to see sustainable homes in the area.
- Just what Littlehampton needs.
- Concern about vehicular access to the site. All traffic leaving the site should turn left to the southern roundabout. All traffic entering the site should do so from the northern roundabout. It would be dangerous for traffic to enter or leave the site by crossing Fitzalan Road at this point.

7 Objections:

- Overlooking/loss of privacy.
- Inadequate parking/loading/turning.
- Highway safety.
- Will generate too much traffic.
- Noise, odour and disturbance resulting from use.
- House styles totally out of character with the local building styles.
- Insufficient landscaping.
- Not in keeping with the other houses in the immediate area.
- There is no infrastructure to support the extra development in this area.
- A four storey building is excessively high for a development in this prominent and elevated location. The building will unduly dominate the surrounding residential area, which comprises modest houses and many bungalows.
- Will set a precedent.
- Density too high.
- Too many unaffordable housing in the area already.
- Unnecessary destruction of trees and land and impact on local wildlife.
- Sewage system cannot cope.

COMMENTS ON REPRESENTATIONS RECEIVED:

These matters will be considered in the Conclusions section of this report.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Housing Strategy and Enabling Manager - Objection.

Concern relating to the disproportionate number of smaller affordable dwellings and their location. Although a higher number of 1 bed dwellings may be anticipated on a town centre scheme, the open market dwellings are exclusively 2 & 3 bed, so a higher number of larger affordable dwellings at the expense of 1 bed dwellings is preferable. There remains an issue with a lack of clustering which has all but two of the affordable in one block.

Sussex Police - No Objection.

The layout of the development has outward facing dwellings which has created a good active frontage with the streets and the public areas being overlooked.

Environmental Health Officer - No Objection.

Noise details now satisfactory. Request imposition of conditions to ensure satisfactory levels are achieved. Conditions suggested in respect of construction, lighting, air quality and contamination.

Greenspace Officer - No Objection.

Recommend landscape approval of the relocating of the children's play via Section 106 contributions into the adjacent Rosemead play area for improvement and allowing the shown central POS area now available as suitable POS (considering also the adjacent greenspace) for the whole development. Landscape details to be submitted and approved.

County Highways - No Objection.

Ecology Officer - No Objection.

Following submission of the Energy and Sustainability Statement (March 2021) satisfied that the criteria detailed within policy 40 will be met. Pleased to see the commitment by the applicant to implement measures to achieve a reduction in CO2 emissions of 27%.

Archaeologist - No Objection.

Highways England - No Objection.

Request contributions of £21,934.08 (112 x £195.84), indexed from 2017 prices, from this particular site towards further mitigation of the A27 junctions in Arun.

County Lead Flood Authority - Comment.

The FRA and Drainage Strategy shows that permeable paving, rain garden, bioretention areas, below ground attenuation with a restricted discharge to the combined sewer would be used to control the surface water from this development.

Further information is required to show that the drainage hierarchy has been fully followed. In January 2021 Arun's Principle Drainage Engineer, requested full winter groundwater monitoring to take place between October and March and should the results show that infiltration was deemed not possible, further discussion would be required.

Discharge to a combined sewer should only be considered where there are absolutely no other options, and only where agreed in advance with the relevant sewerage undertaker. Arun's Engineer may want to review this application to identify any local site specific land use considerations that may affect surface water management and for a technical review of the drainage systems proposed.

Fire Officer - No Objection.

Conditions requested.

Drainage Engineer - Comment.

The variability of soil characteristics and groundwater are issues. The Applicant has provided ongoing groundwater readings from the existing boreholes and undertaken to drive further boreholes to provide a better picture across the site. Anomalous readings have been addressed.

The Applicant is aware that the further investigations (groundwater and infiltration testing) needs to be undertaken in the winter period. Whilst further results may point towards a better drainage solution, there may be a need for the layout to be changed to accommodate an acceptable drainage solution.

The draft conditions put forward by the Applicant are acceptable.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Requested conditions have been imposed.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary
Housing site in Littlehampton Neighbourhood Plan
Adjacent to Play Area

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

AHSP2	AH SP2 Affordable Housing
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCDM1	ECC DM1 Renewable Energy
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
ENVSP1	ENV SP1 Natural Environment
HDM1	H DM1 Housing mix
HSP1	HSP1 Housing allocation the housing requirement
INFSP1	INF SP1 Infrastructure provision and implementation
LANDM1	LAN DM1 Protection of landscape character
OSRDM1	Protection of open space,outdoor sport,comm& rec facilities
OSRSP1	OSR SP1 Allotments
QEDM1	QE DM1 Noise Pollution
QEDM3	QE DM3 Air Pollution
QEDM4	QE DM4 Contaminated Land
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management
WSP1	W SP1 Water

<u>Littlehampton Neighbourhood Plan 2014 Policy 18</u>	Fitzalan Link Road
Littlehampton Neighbourhood Plan 2014 Policy 22	Design of New Development
Littlehampton Neighbourhood Plan 2014 Policy 3	Housing Supply
Littlehampton Neighbourhood Plan 2014 Policy 4	Housing Site Allocations

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD12	Open Space, Playing Pitches & Indoor & Built Sports Facilities
SPD13	Arun District Design Guide (SPD) January 2021

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal is considered to comply with relevant Development Plan policies in that there are no unacceptable adverse impacts arising from the proposal in terms of residential amenity or visual amenity. However the proposal does not fully accord with policy AH SP2 of Arun Local Plan and Policy 3 of Littlehampton Neighbourhood Plan in respect of the grouping of the units and over provision of 3 bed units.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to be weighed in the balance with the Development Plan.

The application accords with Para 11c of the NPPF. Paragraph 14 of the NPPF states that in situations where the 'presumption in favour of sustainable development' applies to applications involving the provision of housing, then the adverse impact of allowing development that conflicts with the neighbourhood plan will not significantly and demonstrably outweigh the benefits if four specific criteria

apply. In this case, the Neighbourhood Plan is more than 2 years old and the current Arun Local Plan Housing Land Supply position is 2.4 years; so paragraph 14 does not apply since all four criteria are not met.

Under the circumstances above in respect of affordable housing mix and location the proposals are in conflict with the Local Plan and made NP. However the applicant has provided sufficient justification for the design, layout and mix of units to satisfactorily address the non compliance with policy. Arun's HLS has recently decreased from 3.3 years to 2.4 years. The benefits of the proposal would assist with the delivery of housing and make a valuable contribution toward the identified housing need.

CONCLUSIONS

PRINCIPLE

The principle of housing development on this site is accepted. The site is in the Built-Up Area Boundary where, in accordance with Arun Local Plan (ALP) policy SD SP2, development should be focussed. It is allocated in the Littlehampton Neighbourhood Plan as a housing site for 70 dwellings comprising primarily 2, 3 and 4 bedroom houses to be delivered in the period to 2019 under Policy 4.

Policy SP SD1 of the ALP supports sustainable development in the District.

The Neighbourhood Plan notes that this site is suited to medium density housing development given the proximity of similar uses and its compatibility with an adjoining education facility. Development will be accessed from the new Fitzalan Link road to the west, not Elmgrove Road. A scheme will be required to include public open space as an extension to the existing public open space off Rosemead and to contribute to achieving a significant green space along the Link road. The land is available for development in the next five years and a scheme of up to 70 dwellings has been assessed as viable". It is also required, under Policy 4 to deliver 30% affordable housing unless there is clear evidence to justify a smaller proportion to ensure a viable development scheme.

The Neighbourhood Plan seeks to apply the presumption in favour of residential development (Policy 1), concentrate future housing development within the built up area boundary, especially within the Fitzalan Road corridor (Policy 2) and provide for at least 200 dwellings over the Plan period (Policy 3).

NATIONAL PLANNING POLICY FRAMEWORK

The NPPF is the most recently adopted national policy and is an important material consideration in this case. The proposal accords with an up to date development plan and complies with those policies in accordance with para 11c of the NPPF.

Further, the NPPF generally seeks to promote the effective use of all land (para 119).

SUSTAINABILITY AND SUITABILITY OF LOCATION FOR HOUSING DEVELOPMENT

ALP policy SD SP1 "Sustainable Development" states the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Para 8 of the NPPF states that in order to achieve sustainable development; economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

The site is in the built up area boundary of Littlehampton and close to a number of services and facilities. It is in a highly sustainable location in terms of transport and access to services.

The proposal will include Affordable Dwellings and private dwellings to contribute to the current housing land supply shortfall & helps to meet future needs.

The development will result in the creation of jobs and wages during the construction phase whilst contributing to the overall long-term prosperity of residents and businesses in the District of Arun in perpetuity. The development will result in additional Council Tax revenues & potential new homes bonus payments.

The New Homes Bonus and Community Infrastructure Levy are local finance considerations and as noted in the Development Plan Background section above, section 70(2) of Town and Country Planning Act 1990 (as amended) provides that local planning authorities should have regard to any local finance considerations, so far as material to the application. However, council tax revenues are not capable of being considered in the same way.

The proposal does meet the economic, social and environmental aspects of sustainable development and the presumption in favour of sustainable development is engaged.

CONCLUSIONS ON MATTERS OF PRINCIPLE

The NPPF requires there to be a presumption in favour of the proposals sustainable development. The site currently forms a part of the Council's proposed housing strategy in the Littlehampton Neighbourhood Plan. As such, the principle of housing development in this location is supported by the Council, subject to delivery of necessary infrastructure and affordable housing.

The affordable housing provision is acceptable on the basis that there are exceptional circumstances in this case associated with the design of the buildings as set out below and therefore the presumption in favour of sustainable development applies.

AFFORDABLE HOUSING AND HOUSING MIX

Policy H DM1 of the ALP is considered to be an up to date policy which states that the Council will seek a mix of dwelling types and sizes, to include affordable housing units. For developments of 11 units or more the Council requires a balanced mix of market and affordable dwelling sizes including family-sized and older persons accommodation based on the most up to date Strategic Housing Market Assessment (SHMA) recommendations.

The latest SHMA confirmed that there should be no new 5 bed homes, few 4 bed homes, and that there should be a high provision of 1, 2 and 3 bed homes.

The proposal does not include any 5 or 4 bed homes. The housing mix would provide a high provision of 1, 2 and 3 bed homes in accordance with the findings of the latest SHMA.

There is an acknowledged over-provision of 3 bed homes in the proposed housing mix (with almost as many 3 bed homes as 1 and 2 beds combined). The Council's Housing Strategy and Enabling Manager requested more 2 bed dwellings at the expense of 3 bed dwellings, in particular more 2 bed houses, but this has proved difficult to accommodate within the modular unit design proposed, as discussed in more detail below.

In accordance with policy H DM1 a proportion of the housing should be of a type that meets the needs of older people. According to recently adopted guidance which has some weight as a material planning consideration at least 25% of the dwellings should meet Lifetime Home standards, and should be designed to meet the needs of older people. It is supported by references in ALP policies D DM1 & D DM2. This requires at least 50% of the homes to be designed to the M4(2) standard, and that 2 are designed to meet M4(3) i.e. be wheelchair accessible. The agent has confirmed that 2 of the dwellings are M4(3) compliant and all dwellings are M4(2) compliant satisfying this policy requirement.

As set out in policy AH SP2 of the ALP, for all residential developments of 11 units or more, the Council

requires a minimum provision of 30% affordable housing on site. The Council's Affordable Housing policy requires a tenure split of 75% rented and 25% intermediate housing. Policy 3 of the Littlehampton Neighbourhood Plan (LNP) requires development to include a requirement to provide affordable housing units in line with Arun District Council's affordable housing policy. The Council's Housing Strategy and Enabling Manager has confirmed that there is high demand for affordable housing throughout the Arun District for both rent and low-cost home ownership.

The scheme includes the provision of 30% (34 dwellings) as affordable units, with a tenure mix which equates to 26 rented and 8 intermediate which meets the requirements of the Council's Affordable Housing policy. The affordable housing statement roughly reflects the mix recommended in the SHMA, but there is an overprovision of 3 bed dwellings. The provision of affordable housing is to be secured through a S106 planning obligation/agreement.

However, the affordable housing is in a single block and not pepper potted across the development, but this can't be achieved due to the modular design concept which does not allow for internal floor layout alterations. The affordable housing is not visually indistinguishable from market housing with a large grouping of single tenure dwellings located together. Whilst the proposal is not fully compliant with policy AH SP2 of Arun Local Plan (and policy 3 of Littlehampton Neighbourhood Plan) in this respect, the benefit it brings in terms of housing supply and delivery is sufficient to counter this requirement. The scale of shortfall in meeting housing need is substantial and the consequential deprivation of opportunity to secure a suitable, decent home for those in housing need is significantly harmful. The public benefit of deliverable housing supply, including affordable housing, should be afforded substantial weight in any balancing exercise. Its delivery is important to the maintenance of an adequate supply of housing land in future years.

The affordable housing provision is acceptable on the basis that there are exceptional circumstances associated with the proposal. The developer is new to the District and is building an innovative product. The applicant is working in close partnership with VIVID Housing Ltd (VIVID) as the Registered Provider on the development to deliver affordable dwellings that would provide benefits for future occupants of the site. This scheme would deliver significantly more affordable dwellings than allowed by the previous permission on the site under LU/55/15/OUT, the Section 106 (S106) for which only secured 14 of the 68 dwellings proposed (20%) as affordable dwellings.

The development would provide 34 affordable dwellings (30% of the 112 total dwellings). The open market homes would be provided on the applicant's 'Left-To-Live' model, which takes into account the average salary of a full-time worker, their living expenses and their mortgage borrowing capacity. This would allow for more affordable market homes that would enable people easier access to owning their own home.

All dwellings within the apartment block would be affordable. Although this does not meet the desired cluster arrangements, it reflects the needs of VIVID. By having the affordable apartments in a single block, VIVID is able to take on the freehold of the apartment block, with associated estate management benefits. This would enable VIVID to minimise costs and manage the dwellings more effectively, thereby reducing the service charging to the benefit of future occupants. VIVID has provided a letter of support for this arrangement that sets out their preference for acquiring and managing the affordable housing provision as proposed.

From an urban design perspective it would not be possible to deliver the level of affordable housing sought if the proposed apartment block is split into smaller blocks. The scheme layout is already very tight and there would not be enough space to accommodate multiple smaller blocks without losing units. As a result, it would not be possible to adjust the dispersion of affordable dwellings through the scheme.

ADC's evidence base identifies that "the majority of demand for affordable housing is for 1 and 2 bed properties. Over the last 4 years, the profile of need for different types of properties has shifted towards a need for smaller homes arising from single persons and smaller families." The mix of the apartment block comprises 23 one-bedroom apartments and nine two-bedroom apartments to address this identified need.

The preference to address the identified need for more two bedroom dwellings can't be achieved due to the nature of the modular product. The apartment block cannot be modified to include more two-bedroom apartments; the two-bedroom apartments have a larger floor area that cannot fit on the footprint of the proposed apartment block. There is very limited space on the site to increase the size of the apartment block to accommodate this request. It would ultimately result in the loss of units, which would impact on the viability of the scheme and the ability to deliver the project. As a result the proposed apartment block is fixed in terms of the mix of dwellings within it.

On this basis, given the design constraints, the lower number of 2 bed units is acceptable when balanced against the number of affordable units provided within the scheme.

Paragraph 71 of the NPPF 2019 (now para 72 NPPF 2021) introduced entry level exception sites to increase the delivery of affordable home ownership products within a local planning authority, unless the need for such homes was already being met within the district. This has not delivered the affordable home ownership homes the Government were expecting. As such, Entry Level Exception Sites (FHES) policy is being replaced by a First Homes Exception Site policy.

The new requirement for 25% First Homes will not apply to sites with full or outline planning permissions already in place or determined (or where a right to appeal against non-determination has arisen) before 28 December 2021 (or 28 March 2022 if there has been pre-application engagement). This application has been the subject of significant pre application discussions and would have been determined before this date if there had not been significant delays in issuing the decision due to concerns about drainage which are now satisfactorily resolved. Had it not been for this the application would have been determined well before 28-03-2022. Given this background it is reasonable to not impose reference to First Homes as required by the NPPF. Also, as discussed above, the preference for a greater number of 2 bed units can't be achieved due to the nature of the modular standardised product.

DESIGN AND VISUAL AMENITY

With regard to design, the relevant policies include policies D SP1, D DM1 and LAN DM1 of the ALP and Policy 22 of the Littlehampton Neighbourhood Plan (LNP). Paras 124 and 130 of the NPPF also apply.

DENSITY

The site forms part of housing site allocation in the Littlehampton Neighbourhood Plan as 'Land south of Littlehampton Academy' and identifies it as suitable for medium density housing for up to 70 dwellings. Since the adoption of the LNP, an outline scheme for 68 dwellings was allowed on appeal for the site (LU/55/15/OUT). The current scheme seeks to almost double the density with 112 dwellings.

The allowed scheme of 68 dwellings was too low a density, overly spacious and not reflective of the sustainable location or the density in the surrounding area. This site does lend itself to an increased density over that shown in the illustrative scheme under the lapsed outline permission. Density should balance the need to make efficient use of land where in sustainable locations, whilst still reflecting the character of the locality.

The site is not in a town centre but it is within 400m of Littlehampton town centre and could be considered as a town centre/local service centre location where high-medium density is expected. The

ADC Design SPD (section G.02) sets out indicative density ranges depending on type of location and typologies. For town centre locations; terrace housing would be expected to have a density between 30-60dph and for flats a density of 60-100 dph. For local service centre locations; semi-detached housing would be expected to have a density of between 20-30dph, terraced housing between 30-40 dph and flats between 40-60dph.

It is acknowledged that there are varying densities in the area. To the south east, at Dorset Close and Stanhope Road, there is tight-knit high density terraced housing. To the east and west of the site (including Elm Grove Road, Grove Crescent, Cornwall Road and Highdown Drive) the housing is lower density semi and detached housing and more spacious in character. The site can be considered to be somewhat of a 'transition zone' between these two areas of varying density. Given the examples of high density terraced housing adjacent to the site, a relatively high density scheme with more terracing in this location would reflect the character of this part of the locality. The inclusion of some lower density semi-detached housing reflects this typology which is also evident in the area.

The site is in a sustainable location, and given the adjacent high density terraced housing in the locality, the site lends itself to a relatively high density scheme with a greater degree of flatted and terraced housing.

LAYOUT

The allowed scheme had more of a loose layout usually found in sub-urban environments) whereas the proposal is more closely related to a tighter more regimented 'urban grid' layout which is usually found within urban environments. It is acknowledged that the site does lend itself to a degree of symmetry with a fairly uniform layout and not too great a variation in orientation of buildings.

The layout with high densities and a high quantum of terraced housing will not appear overly regimented, repetitive or lack visual interest. The apartment block and the house types are fixed in terms of layout, mass, and scale due to the modular design concept. Opportunities have been sought to break up the built form and provide visual interest and variation through the use of different building forms, materials and effective landscaping.

The provision of footpaths through the site provides good levels of permeability and encourages walking. Footpaths are integrated throughout the central public open space, and are accessible, to allow for wheelchair users/those with mobility issues/push chairs etc. A connection is made into and out of the site from the existing footpath/cycle way to the south of the site.

TYPOLGY AND SCALE

The area around the site is characterised by high density terrace housing (e.g. at Dorset Close and Stanhope Road) and lower density semi-detached and detached housing (e.g. at Elm Grove Road, Gordon Crescent and Cornwall Road for example). The scheme includes a mixture of terraced and semi-detached housing, which reflects the mixed typology in the locality. To avoid an overly regimented appearance, a variety in articulation of the facades of these terraces through the use of a range of materials and architectural detailing has helped to visually break up the terraces and ensure there is sufficient variety within the street scape. It is proposed that the semi-detached houses will have a gable frontage featuring one brick colour with a contrasting colour brick soldier course. The terraced houses will have an eave frontage featuring brown-grey bricks at ground level, buff brick at 1st floor level and a buff brick soldier course in between

The blocks of flats is 4 storeys and not in character with the immediate area, which is mainly characterised by single residential properties. However, it is noted that there are terraced properties along the Arundel Road many of which have been converted to flats, the Academy building to the north is 3 storeys and that the site is a large site which can accommodate this type and form of development, and

that the provision of flats would address the need for 1 bed units in Arun District.

There are some 3 storey buildings in the vicinity, including the Littlehampton Academy, Police station and Nursing Home. Given the size of the site, the existence of some 3 storey buildings in the local area, and that the proposed building would be somewhat of a 'landmark' building within the site, it is concluded that a 4 storey block of flats is acceptable in terms of height and accords with part R.01 of the Arun Design Guide. The appearance and design of the block create apartments with a mono-pitch roof, two entrances - primary and secondary, with each apartment having its own private balcony space. The parapet side is on the main entrance side (primary) and the lower eaves edge is on the secondary entrance. The gables have been designed with a step in the middle to help break up the scale and mass of the buildings.

MATERIALS

The Design & Access Statement confirms that the layout, mass and scale of the buildings is fixed due to the Boklok modular construction, there is an opportunity to develop a material palette that is unique to the development, the local context and Littlehampton. The applicants confirm that the local context, local vernacular and materials and architectural successes in Littlehampton form the inspiration for the proposed Boklok housing concept at the site. This approach is welcomed, and the Council are keen to support modular housing within the District. From the outset it was clear from the concept that the development did not necessarily need to match the existing context with red, brown, buff brickwork, tones, and colours, synonymous with suburban housing, but complement it. The development creates its architectural language with a modern interpretation of low-cost good quality housing. The proposal is considered compliant with sections J.01, L.01, L.02, L.03, J.04 and J.05 of the Arun Design Guide with regard form, building features, the use of materials and architectural detailing and sections I1, I2, and I3 of the National Design Guide.

The Boklok apartments have a simple design which is reflective of both its Scandinavian heritage and contemporary domestic architecture in the UK. The choice of cladding materials varies but compliments the modular scheme delivering affordable housing which suits a cladding system over a more traditional material and construction method. The tones and materials of the BoKlok buildings will create a neutral/muted backdrop to the proposed landscape design, existing/proposed trees and soft landscaping. The proposal would be lifted by the coloured feature panels and the white coloured balconies provided on the apartment block.

The lower eaves edge addresses the dwellings with the intention that the lower eaves will reduce the scale and mass of the block when viewed from the dwellings on-site. This side utilises cladding materials toned to match the bricks' colours used for the proposed house dwellings. The apartment and house materials also compliment the brick and cladding tones used on the Littlehampton Academy building to the north of the site. On all elevations, the cantilevered balconies are finished in black and white painted aluminium and are staggered in colour to add interest to the elevation, contrasting the darker tones of the main cladding, and to break the mass and scale of the elevations. The main entrance recesses and the gable recesses also help to break the scale and mass of the elevations when viewed from the public realm.

The proposal is therefore acceptable in terms of design in compliance with policies D DM1 and D SP1 of Arun Local Plan.

CRIME

In accordance with para 92 of the NPPF, policy D DM1 of the ALP and the national 'Secure by Design' and 'Safer Places - the Planning System and Crime Prevention', in the event of a planning application, consideration has been given to the design of the buildings and surrounding spaces in relation to crime prevention. The site development and buildings have been designed to minimise the risk of criminal activity. The orientation of the apartment block and each dwelling allows for passive surveillance over

entrances, car parking and community amenity spaces in accordance with Part H of the Arun Design Guide.

NEIGHBOUR AMENITY

With regard to residential amenity impacts, the relevant policies include para 130 of the NPPF and policies D DM1, QE SP1, QE DM1, QE DM2 and QE DM3 of the ALP and the Arun Design Guide which in paragraph H.04 sets out the necessary distances to ensure privacy of existing and future occupants is achieved.

The building separation distances stipulated in the Arun Design Guide between habitable rooms are 21m or above and comply with the back to back min. 21m between habitable rooms of properties and the back to boundary min. 12m between habitable rooms and site boundary is achieved and provides a reasonable level of privacy.

The layout of the development ensures no significant overbearing or overshadowing impacts and that properties would benefit from decent levels of outlook and daylight/sunlight in accordance with policies D DM1 and D SP1 of Arun Local Plan.

The closest uses to the site comprise the Littlehampton Academy to the north (22.5m from the closest rear elevation) and the Littlehampton Day Nursery to the east. Dwellings in the site closest to these uses are arranged with their rear gardens on the boundary (19.8m from the closest rear elevation). Each rear garden meets or exceeds the required minimum depth and would be bounded by a close board wooden fence so as to provide an appropriate buffer in relation to those uses.

The closest residential properties to the site are 18m to the east from the side elevation of the nearest property and are separated by the access to the nursery. The dwellings to the south are a distance of 34m back to back and are located to the south of the footpath and cycle route that runs along the south boundary of the site. The dwellings to the west are separated by the link road and are located 58m away. The separation distance between them and the proposed dwellings is sufficient to preserve neighbouring amenity.

These proposals would maintain residential amenity of existing and future occupants of buildings on and near the site, in accordance with the NPPF, policies D DM1 and QE SP1 of the ALP and the guidance in the Arun Design Guide.

INTERNAL & EXTERNAL SPACE STANDARDS

As per ALP policy D DM2, it is necessary to assess the proposal against the internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard) to determine if the buildings will be suitable for residential use. All the dwellings meet the nationally described minimum space standards, in accordance with Policy D DM2 of the Arun Local Plan as required by ALP policy D DM2 and paragraph J.08 of the ADC Design SPD. The dwellings also provide well-laid out accommodation with good levels of outlook and natural light.

The proposal provides good sized private rear gardens and shared amenity spaces, including two landscaped public open spaces. There are no specific policies in the ALP or adopted guidance with regard to external spaces. Paragraphs H1 and H2 of the National Design Guide refers to the design of external amenity space (e.g. provision of outdoor entertaining/eating area, storage, clothes line, planting). Paragraph H.04 of the emerging Arun Design Guide SPD advises that outdoor amenity spaces should be of an appropriate size and shape and be usable and enjoyable. This sets out that private rear gardens should be min. 10.5m depth and balconies max. 2m beyond the building frontage, with at least 3sqm of useable space and these are met in the proposal.

Residential Communal Shared Spaces with a minimum 40sqm plus 10sqm for each unit is required by the Guide. The proposed layout has been designed to maximise the amount of amenity and communal public open space. The main green spaces are spread across the site and comprise the western courtyard (community space) to the rear of the apartment block, central green which is surrounded by semi-detached and terraced houses from 3 sides and additional and extensive landscaping has been incorporated to the Southern boundary to act as a landscaped buffer to Rosemead Park. This space also includes pedestrian routes away from the main road networks providing access all along the southern edge and into the POS and Rosemead Park .

This shared outdoor amenity space to serve the block of flats is considered acceptable in accordance with policy D DM1 of Arun Local Plan.

NOISE AND LIGHT POLLUTION

Policy QE DM1 of Arun Local Plan seeks to protect residential development from noise and paragraphs J.06, K.05, K.06 and O.01 of the Arun Design Guide relate to noise pollution. The application is supported by an Acoustic Planning Assessment prepared by RBA Acoustics (February 2021). The Assessment identifies the main source of expected noise being the Fitzalan Link Road when it is operational.

As the Fitzalan Link Road was not operational at the time of submission, noise levels have been predicted across the site based on road traffic noise level predictions from planning application LU/234/16/RES (Reserved Matters Application for Fitzalan Link Road) through the use of 3D acoustic modelling software. The Assessment considers the potential impact of the school and nursery adjacent to the site. It addresses the worst case scenario for noise on the site and identifies that appropriate internal noise levels can be achieved in all internal spaces through the use of a standard glazing product.

The Assessment identifies that mitigation measures will not be required for external private amenity areas. It is considered that the proposed development would provide a high standard of amenity in respect to noise with regard to adopted local policy and guidance. The Council's Environmental Health have commented with regard to noise pollution to say that it can be acceptably controlled by condition. Therefore, it is considered that the future and existing residents would not be adversely affected by noise in accordance with Policy QE DM1 of the Arun Local Plan.

In accordance with ALP policy QE DM2 and Paragraphs H.06, K.05 and O.01 of the Arun Design Guide the future scheme design must carefully consider the impact of external street lighting on existing residents at surrounding properties and also to future occupiers of the development, to avoid light spill/glare and harm to residential amenity. In order to accord with this guidance a condition has been imposed.

The future and existing residents would not be adversely affected by noise in accordance with Policy QE DM1 of the Arun Local Plan.

IMPACT ON SETTING OF CONSERVATION AREA AND LISTED BUILDING

The site is located north of Littlehampton East Street Conservation Area. Policy HER SP1 sets out that conservation areas will be given the highest level of protection. Criterion f. of policy HER DM3 states that planning permission will normally be granted for proposals provided that they do not harm important views into or out of the Conservation Area. The applicant has considered the impact that the proposal will have upon the Conservation Area within the submitted Planning Statement in accordance with para 194 of the NPPF. The site is separated from the Conservation Area by approximately 175m at the closest point. In addition, the Littlehampton Police Station, which is a substantial three storey building, sits between the two. It is considered that the proposed development would not affect views into or out of the Conservation Area as a result of the separation distance and presence of the Police Station.

A Grade II Listed Care Home is located approx 400m to the south of the site. Policy HER DM1 sets out that proposals affecting Listed Buildings should protect and, where possible, enhance the setting of Listed Buildings. The nearest Listed Building is the Grade II listed barn and wall that forms part of the Care Home site, which is located on the East Street and Fitzalan Road roundabout. Between the site and the listed building are more modern buildings within the care home and residential buildings south of Rosemead Park. Owing to the separation distance and buildings between the site and the listed building, it is considered that the proposal would not affect the setting of the Listed Building in accordance with local and national policy.

The proposal would not harm the setting of nearby Listed Buildings or the Conservation Area in accordance with policies HER SP1, HER DM1 and HER DM3 of the Local Plan and there would be no impact on the heritage assets in accordance with para 201 and 205 of the NPPF.

HIGHWAYS AND TRANSPORT

With regard to highways, transport and parking, the following policies and guidance are relevant: paras 104, 110, 112 and 113 of the NPPF, ALP policies T SP1 and T DM1, Policy 4, 22 and 18 of the LNP, the Arun Design Guide, the ADC Parking SPD (2020) and M3 of the National Design Guide.

Vehicular access to the site would be off the Fitzalan Link Road to the west of the site. To the east of the site there would be a bollard pedestrian and cycle link onto Elm Grove Road which would also provide for emergency vehicle access. The principle of the suitability of the vehicular access onto the Fitzalan Link Road has already been established as being acceptable under the allowed appeal in 2016 (ref. LU/55/15/OUT). The site access with the Fitzalan Link Road was the subject of a Stage 1 Road Safety Audit under the earlier 2014 submission with the Auditor not raising any issues relating to the access layout. A Transport Assessment was undertaken to calculate the trip generation. This proposal almost double the units (112) of the previous approved scheme (68), and there would be no second access off Elm Grove Road (as there was in the 2015 scheme) so an updated Transport Assessment (TA) which calculates the likely trips generated and assesses road safety with a Road Safety Audit has been submitted with the proposal. The application is also supported by a Travel Plan.

The TA assesses the site's accessibility in sustainable travel terms as well as the site's potential net highway impact on the existing highway network. The objective of the Travel Plan is to actively encourage sustainable travel to and from the site and to provide on-site infrastructure to facilitate sustainable travel/reduce the need to travel. It sets out a number of measures that will be implemented to promote sustainable travel. The Local Highways Authority (WSCC Highways) have assessed the scheme with regard to highways safety and the suitability of the proposed access and have raised no objection. In response to initial matters raised by WSCC, the applicant has submitted a Transport Assessment Addendum.

The scheme provides 1 x space per apartment: 32 spaces 2 x spaces per 3bed house: 108 spaces Car Club: 2 spaces, 1 x space per 2bed house: 26 spaces 10% Resident Visitor: 10 spaces with a total of 178 Spaces.

The ADC Parking SPD sets out the minimum standards for on-site car and cycle parking provision. The required provision, in terms of the current proposed housing mix, the site's location (within Parking Behaviour Zone 2, but the site's location relates to Behaviour Zone 4 Urban), and the requirement would be a total of 188 car parking spaces in Zone 2 and 166 in Zone 4. 178 car parking spaces are proposed.

The ADC Parking SPD does state that a 10% variation below the target parking demand may be allowed where appropriate travel option provision is provided including Travel Plans, public transport contributions and other sustainable travel initiatives. It is noted that 2 car club spaces are proposed, the

provision of cycle spaces and EVCPs, and it is also noted that the site is in a sustainable location within 400m of Littlehampton town centre and nearby bus routes (sustainable modes of transport). The RGP Transport Note states 'The proposals would seek to implement a comprehensive Travel Plan with a range of non car travel incentives, and sustainable infrastructure such as cycle parking, electric vehicle charging and car club spaces/vehicles. It is therefore considered that a further 10% reduction in car parking could be an acceptable and effective measure for encouraging reduced car ownership'.

In conclusion, the overall under-provision of car parking spaces, if assessed in relation to Zone 2, (which does not exceed an under-provision of 10% which is permitted in the ADC Parking SPD) is acceptable.

All residential dwellings will be provided with secure and sheltered cycle parking. The scheme provides 1 x space per apartment: 32 spaces, 2 x spaces per 2bed house: 52 spaces, 2 x spaces per 3bed house: 108 spaces totalling 192 spaces. The provision of appropriate provision in line with the requirements is conditioned.

The ADC Parking SPD requires all car parking spaces for properties with a driveway and/or garage to have EVCP provision, and for flatted development currently (until 2023 when this figure increases) 20% of car parking spaces should have EVCPs.

To facilitate the provision of EVCPs across the site, the applicant has entered into initial discussions with supplier Pod Point to prepare a technical specification and EV Charging concept design for the development. The proposal confirms that 15 proposed dwellings (30 spaces) would have driveway parking and each would have a charging point. The remaining 148 on-street spaces will therefore require 30 charging points (20%) which have been shown across the site. The allocated spaces have been shown provided pairs since most on-street charging stations allow two vehicle/spaces to charge at once (therefore requiring 15 charging stations). The proposals would include 4 spaces for the flats with all other distributed across the site ensuring that some of the visitor spaces are also included. The proposed development would ensure that the current requirements for EVCPs are met and suitable infrastructure is in place for future requirements. Full details of the type of electric vehicle charging point and provision are secured by planning condition.

SUSTAINABLE CONSTRUCTION

The relevant policies and guidance with regard sustainable construction, energy efficiency and climate change, are paras 158 of the NPPF, ALP policies ECC SP1 and ECC SP2, sections K, L.01 and S.01 of the Arun Design Guide and R1 and R3 of the National Design Guide.

An Energy and Sustainability Statement has been submitted with the application. This sets out that there are a number of energy solutions for the BoKlok product, and it is anticipated that the energy solution will be a community boiler/ASHP system, providing space heating and hot water to all blocks.

This system will provide a 27% reduction in energy demand through renewables against a typical gas boiler system without the need for photovoltaics. The document explains how policy compliance is met, in particular Policy ECC SP2.

The provision of appropriate features is conditioned in accordance with ALP policy ECC SP2 which requires that all new residential and commercial development be energy efficient and incorporate decentralised, renewable and low carbon energy supply systems and ECC SP1 which requires that new development be designed to adapt to impacts arising from climate change.

FLOODING AND DRAINAGE

With regard to flooding and drainage, the relevant policies include paragraphs 159, 162 and 167 of the NPPF, ALP policies W DM2 and W DM3, part K.04 of Arun Design Guide, and R3 of the National Design Guide. Policy W DM3 requires all development identify opportunities to incorporate a range of

Sustainable Urban Drainage Systems (SUDS), appropriate to the size of development, at an early stage of the design process

The site is located in Flood Zone 1 (low risk of flooding). The site is over 1 hectare in size. As such, due to its size, a Flood Risk Assessment has been submitted together with a Drainage Strategy and Water Quality Management Report. The proposed development has been designed to ensure there is no increased flood risk to the site and surrounding areas for all storm events up to and including 100 year plus 40% climate change storm event. As a result, it is considered that the proposed development is appropriately located and would reduce the risk to homes from flooding. The Assessment also identifies that there is no existing drainage serving the site although the previous school on the site would have been connected to the public sewer system. Additionally, the Assessment identifies that the ground conditions on the site consist of impermeable clay over structureless chalk. As a result, there is a high water table that results in infiltration not being viable on the site. The D & A confirms 'New developments will seek to reduce flood risk through incorporation of Sustainable Drainage Systems (SuDS), including permeable hard surfacing and soakaways. They will be integrated into the overall Landscaping Strategy and existing natural features on site, seeking to provide additional recreational and wildlife habitat benefits where possible, while reducing impermeable surface cover'.

The Council's Drainage Engineer has been consulted and has entered into discussions with the applicant. The variability of soil characteristics and groundwater are acknowledged and the Applicant subsequently provided ongoing groundwater readings from the existing boreholes and undertook to drive further boreholes to provide a better picture across the site. Anomalous readings have been addressed.

The Applicant is aware that the further investigations (groundwater and infiltration testing) needs to be undertaken in the winter period. Whilst the further results may point towards a better drainage solution, there may be a need for the layout to be changed to accommodate an acceptable drainage solution.

Even with appropriate conditions it is possible that the layout of the development and number of units may need to be altered once further testing results are available. However, subject to the imposition of appropriate conditions the proposal would be compliant with policy W DM3.

OPEN SPACE AND LANDSCAPE

Para 130(b) of the NPPF requires planning decisions ensure developments are visually attractive as a result of effective landscaping. Policies D DM1 and D SP1 of the Arun Local Plan is consistent with paragraph 130 of the NPPF in that it requires the Council to have regard to hard and soft landscaping when assessing development proposals. Policy D SP1 of the Arun Local Plan also requires development proposals to reflect the characteristics of the site and local area in their landscaping. Sections E, G, H, L and R of the Arun Design Guide SPD also provide guidance with regard to landscaping.

The ADC SPD for Open Space, Playing Pitches, Indoor and Built Sports Facilities (adopted January 2020) sets out the requirements for on-site facilities and off-site financial contributions. The Council's Landscape and Greenspace Officer has provided some comments in respect of Public Open Space (POS).

The site is vacant and presently grassed open space with some trees mostly to the periphery and off-site. This site is not a strategic allocation in the Local Plan, but is a housing site allocation in the LH Neighbourhood Plan as 'Land south of Littlehampton Academy' for delivery of up to 70 dwellings. The site just below (Rosemead Park) is a designated Local Green Space.

Public open space is required on-site and to contribute to achieving a significant green space along the

Fitzalan Link road. The detail under LU/55/15/OUT (68 dwellings) included a Public Open Space (POS) area centrally located within the development. The proposals still show this central POS area which is supported and also an area of POS to the apartment block which will allow for a greener setting to this building.

The revised plans show a central POS area which is now allocated as POS with the children's play omitted in favour of 106 contribution which would be preferable. In addition offsite financial contributions for playing pitches/3G pools/ halls and ancillary facilities as outlined in ADC SPD Open Space, Playing Pitches, Indoor and Built Sports Facilities January 2020 are proposed.

It had previously been recommended for play that a preference for offsite provision with a financial contribution for offsite provision made. It would be advised that play would be better situated as an offsite contribution and as agreed in the previous 106 application rather than located on this site. The previously drafted 106 agreement recognised the requirement for children's play and 106 monies were agreed for offsite improvements to Rosemead Park play area immediately to the south which is a Parish owned facility.

SuDS provision appears to have been shown now to the rear of the apartment block area (removed from the apartment block frontage which is preferable) the full implication of SuDS including future management and maintenance must be considered, also the proximity to these residential dwellings. The recommendation that these are subject to RoSPA or similar organisation inspection should be noted.

As some existing green boundary is evident in places, this will require further boundary planting treatment to enhance and improve. A detailed, comprehensive and robust landscaping scheme will be required within the development and POS areas to increase biodiversity of which Net Gain requirements will need to be demonstrated.

Subject to the imposition of landscaping condition and a Sec 106 Agreement with regard to open space provision. The proposal would be compliant with policies D SP1 and D DM1 of Arun Local Plan.

CONTAMINATION

Policy QE DM4 promotes and will permit the use of previously developed land subject to evidence being provided, prior to any development, to show that unacceptable risk from contamination will be successfully addressed through remediation.

The Council's Environmental Health team have raised no objection subject to the imposition of appropriate conditions. These have been included in the recommendation and the proposal is therefore compliant with policy QE DM4 of Arun Local Plan.

INFRASTRUCTURE

Policy INF SP1 of the ALP states that 'The Local Planning Authority will support development proposals which provide or contribute towards the infrastructure and services needed to support development (including the necessary infrastructure set out in the Infrastructure Delivery Plan) to meet the needs of occupiers and users of the development and the existing community'.

The Council will seek fair and reasonable contributions to be made by the landowners or developers towards the cost of infrastructure, service or amenity provision, to meet the needs of the occupiers or users of the development. This proposal would generate a requirement in the form of infrastructure provision for County health services, education services, social services, library service, fire service, transport, public open space provision and potentially public art also.

WSCC confirm the financial contributions required in respect of schools, libraries and fire services.

Policy OSR DM1 'Open space, sport & recreation' requires that new developments contribute appropriate forms of provision and or enhancement as identified via the Open Spaces, Playing Pitches and Indoor Sport & Built Facilities Strategies. These evidence-based studies identify the need for all developments of 10 or more dwellings to make provision towards and/or contribute to recreation and leisure facilities.

The provision of high-quality open space, playing pitches, indoor and built sports facilities is a vital element of where people live, work and visit. New development creates additional demand for such facilities. It is therefore essential that new areas of population provide and make adequate and appropriate contributions towards open space, playing pitches, indoor and built sports facilities.

A number of strategic priorities for leisure and recreation facilities have been developed and are set out under Policy HWB SP1 'Health & Wellbeing' of the adopted Arun Local Plan (2018). These are based on the identified needs and opportunities for health, recreation and leisure facilities from the relevant strategies and studies.

The Local Plan states that there may be occasions when it is not appropriate to provide facilities on-site. In these cases, the Council will collect financial contributions from developers and allocate those contributions to specific projects which deliver the Strategic Priorities identified in the Local Plan and within Arun District Council strategies and studies which inform the Policy. The strategic nature of the projects means that they will benefit residents across Arun District, not just the occupants of the development which has made the financial contribution (Paragraph 14.1.11).

The development will be required to make the following off-site financial contributions in order to mitigate the impact of development:

Sports halls/flexible activity space - £44,415 towards the community sports hub to be provided at Palmer Road Angmering;
 Health & Fitness - £14,000 towards the community sports hub to be provided at Palmer Road Angmering;
 Swimming pools - £49,127 towards swimming pool and changing provision at a new leisure centre for the District;
 Public Art - £4,305 towards Public Art in Littlehampton.

Contributions for sports pitches, 3G pitches and associated ancillary facilities, open space and play are also required for this development.

Offsite Play contributions to be allocated to Rosemead Play area, based on 112 dwellings @ £1,730.30 = £193,794 this would be justified as this site has triggered a NEAP provision.
 POS to be provided onsite (if a deficit is being provided then = deficit x £28.00/m2)
 Allotment contribution 112 x £19.25 = £2,156.00

Highways Agency have also requested contributions of £21,934.08 (112 x £195.84), indexed from 2017 prices, from this particular site towards further mitigation of the A27 junctions in Arun.

The site is not CIL liable due to the flattened element of the scheme. As such, all contributions will be dealt with under a S106 legal agreement. With the provision of a Section 106 Agreement in respect of the contributions listed above the proposal would be compliant with policy INF SP1 of Arun Local Plan.

BIODIVERSITY

In respect of biodiversity, the Environment Bill, para 170 of the NPPF, policy ENV DM5 of the ALP and sections E.01 and E.03 of the Arun Design Guide SPD and N1 and N3 of the National Design Guide are

relevant. Net Biodiversity Gain is also an important aspect of the Environment Bill and the NPPF.

A Preliminary Ecological Appraisal (PEA) Report has been submitted which concludes there are no statutory or non-statutory designated sites within the 1km desk study search area and no records of a range of protected or notable species in the locality. Precautionary and ecological protection measures are recommended on an interim basis to enable offences under the relevant legislation to be avoided, along with recommendations for biodiversity net gain.

The proposed development would result in permanent losses of the existing habits on the site, which the PEA identify as being of relatively low ecological value and of importance at the site level only.

Policy ENV SP1 states that the Council will encourage and promote the preservation, restoration and enhancement of biodiversity and the natural environment through the development process. Policy ENV DM5 sets out that development schemes, shall in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on site. The PEA includes a section for recommendations for Biodiversity Net Gain (BNG). Biodiversity enhancement measures e.g. bat and bird boxes, log piles, ponds, wildflower gardens etc. are controlled by a planning condition.

The proposed Landscaping Strategy and Ecological Enhancement Plan have been developed in partnership to support the application. The Biodiversity Metric 2.0 Calculation Tool has been used to understand the impact of the proposed development and habitat creation on the site. This identifies that there would be a net loss in habitat units on the site, but the proposed development would maximise the creation of areas for new habitats and species. New planting of native tree and hedge species would be undertaken throughout the site and new habitats created through water features and meadow planting, which would be managed to ensure they are successfully delivered.

Additionally, a large number of nesting and roosting habitat would be created, which is not recognised by the BNG metric. The Council's Ecologist has no objection to the proposal and subject to appropriate conditions the proposal would be compliant with policy ENV DM5 of Arun Local Plan.

CONCLUSIONS

The development plan and the NPPF would support the principle of development on the application site. Furthermore, the Council is unable to demonstrate an adequate supply of housing land for the next 5 year period. The proposals are within the built up area boundary, located within a well contained site and is considered to be a sustainable location for development.

Adequate open space and play facilities can be provided and an appropriate access has been proposed.

However, the proposals are not compliant with policy in terms of the delivery of infrastructure; specifically affordable housing. As submitted, the proposals include clustering of homes and an over provision of 3 bed units.

The proposals are considered to be acceptable and the lack of an acceptable mix of affordable housing is not significant when weighed against the principle of the development and provision of much needed additional homes in Arun. Therefore, approval is recommended subject to the following conditions:

HUMAN RIGHTS ACT

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

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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

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

SECTION 106 DETAILS

This permission is subject to compliance with a now signed and sealed Section 106 Agreement in respect of affordable housing, open space play and sports facilities, libraries and education and highway improvements as set out in the report.

CIL DETAILS

This application is not CIL Liable.

RECOMMENDATION

- 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:

Location Plan	LTH-ECE-XX-XX-DR-A-
XX-5010 P04	
Topographical Survey	LTH-ECE-XX-XX-
DR-A-XX-5015 P03	
Block Plan	LTH-ECE-XX-XX-DR-A-
SL-5011 P03	
Illustrative Site Plan	LTH-ECE-XX-XX-
DR-A-SL-5012 P11	
Flat Block (Plots 1 to 32) Elevations and Materials Schedule	LTH-ECE-A_2C2_4-
ZZ-DR-A-EL-5115 P05	
Flat Block (Plots 1 to 32) Floor Plans and Sections	LTH-ECE-A_2C2_4-ZZ-
DR-A-XX-5114 P04	
Plots 33 & 34, 46 & 47, 57 & 58, 61 & 62, 79 & 80, 87 & 88, 102 & 103 and 111 & 112 Elevations, Floor Plans, Sections and Materials Schedule	

LTH-ECE-HC302-ZZ-DR-A-XX-5113 P04	
Plots 59 & 60 Elevations, Floor Plans, Sections and Materials Schedule	LTH-ECE-
HC601-ZZ-DR-A-XX-5101 P04	
Plots 81 to 86 Floor Plans	LTH-ECE-T01-ZZ-DR-
A-PL-5102 P04	
Plots 81 to 86 Elevations, Sections and Materials Schedule	LTH-ECE-T01-
ZZ-DR-A-XX-5103 P04	
Plots 51 to 53 Elevations, Floor Plans, Sections and Materials Schedule	LTH-ECE-
T02-ZZ-DR-A-XX-5104 P04	
Plots 35-37, 54-56, 66-71 & 99-101 Elevations, Floor Plans, Sections and Materials Schedule	
L T H - E C E - T 0 3 - Z Z - D R - A - X X -	
5105 P04	
Plots 38-41 & 104-107 Elevations, Floor Plans, Sections and Materials Schedule	LTH-ECE-
T04-ZZ-DR-A-XX-5106 P04	
Plots 89-91 Elevations, Floor Plans, Sections and Materials Schedule	LTH-ECE-
T05-ZZ-DR-A-XX-5107 P04	
Plots 95-98 Elevations, Floor Plans, Sections and Materials Schedule	LTH-ECE-
T06-ZZ-DR-A-XX-5108 P04	
Plots 92-94 Elevations, Floor Plans, Sections and Materials Schedule	LTH-ECE-
T07-ZZ-DR-A-XX-5109 P04	
Plots 48-50, 63-65 & 108-110 Elevations, Floor Plans, Sections and Materials	LTH-ECE-
T08-ZZ-DR-A-XX-5110 P04	Schedule
Plots 72-75 Elevations, Floor Plans, Sections and Materials Schedule	LTH-ECE-
T09-ZZ-DR-A-XX-5111 P04	
Plots 42-45 Elevations, Floor Plans, Sections and Materials Schedule	LTH-ECE-
T10-ZZ-DR-A-XX-5112 P04	
Plots 76-78 Elevations, Floor Plans, Sections and Materials Schedule	LTH-ECE-
T11-ZZ-DR-A-XX-5116 P02	
Street Elevations	LTH-ECE-XX-XX-DR-
A-EL-5120 P05	
Refuse Collection Plan	LTH-ECE-XX-XX-DR-A-
XX-5013 P05	
Cycle and Refuse Stores	LTH-ECE-XX-XX-DR-A-
XX-5014 P03	
Affordable Housing Plan	LTH-ECE-XX-XX-DR-A-
XX-5016 P06	
Landscape Masterplan	LTH-NTA-XX-00-DR-L-
0501 P04	
Ecological Enhancement Plan	LTH-ECE-ZZ-ZZ-
SK-A-SL-5000	

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

- 3 The development hereby permitted shall not be occupied before a scheme has been submitted to and approved in writing by the Local Planning Authority to demonstrate that the internal noise levels within the residential units will conform to the "Indoor ambient noise levels for dwellings" guideline values specified within Table 4 under section 7.7.2 of BS 8233:2014. Details shall be compiled by a competent acoustician on sound insulation and noise reduction for buildings. The scheme shall take into account the correct number of air changes required for noise affected rooms and L_{Amax,f}, one minute, as specified here and in the Planning Pro PG. Any required means of mechanical ventilation should be based around a system of

continuous air extraction and acoustically treated trickle ventilators, ideally with heat recovery (MEV3 or MEV4 Building Regulations 2010, Approved document F), or equivalent. The works specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Arun Local Plan.

- 4 Within 3 months of completion of the apartment block and houses adjacent to Fitzalan Link Road an Acoustics, Ventilation and Overheating Level 2 Assessment shall be carried out in respect of all, or a representative number of units, where the night-time noise level as demonstrated on page 9 of the Noise Report Version 3, indicates a low to medium, or high risk of overheating. The assessment shall be carried out by a suitably qualified energy and sustainability consultant in accordance with CIBSE, TM59; 'Design methodology for the assessment of overheating risk in homes,' in order to establish whether more robust ventilation and acoustic attenuation measures will be required than prescribed in the Noise Report. The assessment shall be submitted to the Local Planning Authority for approval and the works specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Arun Local Plan.

- 5 The development hereby permitted shall not be occupied before a scheme demonstrating that the external noise levels within the curtilage of residential units and amenity areas for the site will conform to the "Design criteria for external noise" upper guideline value of 55 dB LAeq,T and preferably with the desired LAeq,T level of 50 dB as specified in section 7.7.3.2 of BS 8233:2014 which shall include acoustic fencing to the 4 properties on the north-west of the site to a height to be agreed has been submitted to and approved in writing by the Local Planning Authority.

The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation and be retained thereafter.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Arun Local Plan.

- 6 The scheme shall be implemented as approved and, prior to commencement of any construction work, apart from the enabling works - listed below (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a Verification Report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of that remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. The report shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification report, and for the reporting of this in writing to the Local Planning Authority. The report shall provide details of the data that will be collected in order to demonstrate that the works set out in the remediation method statement are complete and identify any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Note: Any changes to the components, relating to ground investigation works and remediation method statement require the express written consent of the Local Planning Authority.

The 'Enabling Works' shall comprise the following:

- (a) site investigations or surveys;
- (b) ecological preparation works;
- (c) the provision of security fencing, hoarding and sales signage;
- (d) the clearance of the Site;
- (e) the provision of any temporary site point of access for construction traffic; and
- (f) provision of temporary Welfare & Accommodation;
- (g) temporary builders supply (electricity, water, data etc);
- (h) installation of temporary sales and marketing suite including show home and temporary parking.

Reason: To protect the amenity of local residents in accordance with Policy QE DM4 of the Arun Local Plan.

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

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

Reason: In the interests of highway safety and the amenities of the area in accordance with policy T SP1 of the Arun Local Plan. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences.

- 8 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the National Planning Policy Framework) unless it can be demonstrated that a fabric-first approach would achieve an equivalent energy saving. Details and a timetable of how this is to be achieved for the development, including full details of physical works on the site, shall be submitted to and approved in writing by the Local Planning Authority before any development above damp proof course begins. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter.

Reason: In order to secure a reduction in the use of energy at the site in accordance with national planning policy and policy ECC SP2 of the Arun Local Plan.

- 9 Development shall not commence, apart from the enabling works - listed below, until drainage details of the design of a whole site surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority.

The 'Enabling Works' shall comprise the following, and these works shall not be subject of the conditions of this Permission unless expressly stated in any individual condition:

- (a) site investigations or surveys;
- (b) ecological preparation works;
- (c) the provision of security fencing, hoarding and sales signage;

- (d) the clearance of the Site;
- (e) the provision of any temporary site point of access for construction traffic; and
- (f) provision of temporary Welfare & Accommodation;
- (g) temporary builders supply (electricity, water, data etc);
- (h) works connected with ground infilling or regrading;
- (i) Work to remove soil mounds and any associated levelling and remediation;
- (j) topsoil strip and re-grading of levels, (k) any temporary construction road or 'haul road' to facilitate enabling works;
- (l) works for the provision or removal of drainage or mains services to prepare the Site for development;
- (m) installation of temporary sales and marketing suite including show home and temporary parking.

No building shall be occupied until the complete surface water drainage system serving the development has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 10 The development shall include the following ecological enhancements prior to occupation in accordance with details to be submitted to and approved by the Local Planning Authority:
- The scrub and boundary treeline to be retained and enhanced for bats;
 - Any gaps should also be filled in using native hedge species to improve connectivity;
 - Bat bricks are integrated into the buildings onsite and bat boxes are installed on the trees onsite facing south/south westerly positioned 3-5m above ground;
 - A hedgehog nesting box installed within the site to provide future nesting areas for hedgehogs.
- The enhancements shall be retained in perpetuity.

Reason: To ensure protection of protected species and improve biodiversity in accordance with policy ENV DM5 of Arun Local Plan.

- 11 The development shall proceed in accordance with the 'Recommendations' within the Preliminary Ecological Appraisal Report dated August 2020. These measures shall include provision of small access gaps at the base of new fence boundaries to enable continued dispersal of small mammals across the site, at the end of each working day, excavations covered over and open pipework capped to prevent entrapment of wildlife, provision of habitat piles for amphibians, invertebrates and reptiles within areas of retained rough grassland, scrub or woodland. A buffer strip around the hedgerows (5m) must be provided during construction and appropriately fenced to ensure this area is undisturbed. If any of the boundary line must be removed (for access) then 'hop over' points must be provided to reduce the gap created in the boundary line so bats and birds can still cross. Any brush piles, compost and debris piles on site could provide shelter areas and hibernation potential for hedgehogs. These piles must be removed outside of the hibernation period mid-October to mid-March inclusive. The piles must undergo soft demolition.

Reason: To ensure the proposals minimise the impact on wildlife in accordance with policy ENV DM5 of the Arun Local Plan.

- 12 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including

details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.'

Reason: In the interests of amenity and of the environment of the development in accordance with policy D DM1 of the Arun Local Plan.

- 13 A scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved dwellings shall be submitted to and approved by the Local Planning Authority and no dwelling with an electric car charging point shall be occupied until the electric car charging point for that dwelling has been provided and the charge points shall thereafter be retained and maintained in good working condition. Charge points should be Mode 3, 7kw fast chargers as a minimum.

Reason: New petrol and diesel cars / vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the National Planning Policy Framework (NPPF).

- 14 If during development, any visibly contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented.

If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

Reason: To protect the amenity of local residents in accordance with Policy QE DM4 of the Arun Local Plan.

- 15 The development shall proceed in accordance with the mitigation as set out in section 7 of the RGP Construction Management Plan (Ref: 20/5433/C EMP05, dated March 2021). Should any piling operations be required as part of this development, then a piling method statement shall be submitted and approved by the Local Planning Authority prior to such works being undertaken.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Arun Local Plan.

- 16 No demolition/construction activities shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no noisy work on Sunday or Bank/Public Holidays.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Arun Local Plan.

- 17 No external lighting shall be installed until details have been submitted to, and approved in writing by the Local Planning Authority prior to occupation of the development. This submission shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles). The approved scheme shall be installed, fully assessed by a competent individual when operational to ensure no light creep/bleed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.
- Reason: To protect the appearance of the area/the environment and wildlife/local residents from light pollution in accordance with policies QE DM2 and ENV DM5 of Arun Local Plan.
- 18 No part of the development hereby permitted shall be first occupied until such time as the vehicular access onto Fitzalan Road serving the development has been constructed in accordance with the approved planning drawings.
- Reason: In the interests of road safety in accordance with policy T SP1 of Arun Local Plan.
- 19 No part of the development shall be first occupied until plans and details of the emergency vehicular access onto Elm Grove, and a timetable for its construction have been submitted to and approved in writing by the Local Planning Authority.
The emergency access shall thereafter be constructed as per the approved timetable and details. The access once constructed shall be used by emergency vehicles, pedestrians, and cyclists only.
- Reason: To ensure that the emergency access is suitable for its intended purpose in accordance with policy D DM1 of Arun Local Plan.
- 20 No dwelling shall be first occupied until the car parking serving the respective dwelling has been constructed in accordance with the approved site plan. Once provided the spaces shall thereafter be retained at all times for their designated purpose.
- Reason: To provide car-parking space for the use in accordance with policy T SP1 of Arun Local Plan.
- 21 No dwelling shall be first occupied until covered and secure cycle parking spaces serving the respective dwelling have been provided in accordance with plans and details to be 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 and policy T SP1 of Arun Local Plan.
- 22 No part of the development shall be first occupied until the road(s), 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 in accordance with policy T SP1 of Arun Local Plan.
- 23 No part of the development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport in accordance with policy T SP1 of Arun Local Plan.

- 24 Prior to the first occupation of any dwelling/unit forming part of the proposed development fire hydrants shall be installed in accordance with details and in locations submitted to and approved in writing by the Local Planning Authority, in consultation with West Sussex County Council's Fire and Rescue Service. These locations shall be compliant with BS 750 standards or stored water supply and connection to a water supply provided which is appropriate in terms of both pressure and volume for the purposes of firefighting.

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

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

- 25 All dwellings in the development hereby permitted shall be M4(2) compliant with the exception of Plots 59 & 60 that shall be M4(3) compliant as shown on drawing LTH-ECE-HC601-ZZ-DR-A-XX-5101.

Reason: To ensure an adequate range of accommodation in accordance with policies D DM1 & D DM2 of Arun Local Plan.

- 26 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls (and roofs) of the proposed buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

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

- 28 INFORMATIVE: The applicant is advised of the new Planning and Noise Advice Document: Sussex, March 2021 to guide and inform decisions in this case.

- 29 INFORMATIVE: The applicant's attention is drawn to the requirements of the Environmental Protection Act 1990 and the Clean Air Act 1993 with regard to burning on site. A statutory nuisance may be caused by smoke and ash from fires or noise from the cutting or chipping trees. In addition, air quality could be adversely affected on large projects. The granting of this planning permission does not permit a statutory nuisance to be caused. The Environment Agency should also be contacted regarding Exemption Permits to burn on site.

- 30 INFORMATIVE: The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Highways Agreement 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.

- 31 INFORMATIVE: The applicant is advised to contact the WSCC Traffic Regulation Order team (01243 642105) to obtain the necessary paperwork and commence the process associated with the proposed car club parking bay. The applicant would be responsible for meeting all costs associated with this process. The applicant should note that the outcome of this process cannot be guaranteed.
- 32 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.
- 33 INFORMATIVE: A surface water drainage verification condition guidance note is available at <https://www.arun.gov.uk/drainage-planning-consultations>, this clearly sets out our requirements for discharging this condition
- 34 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to contributions towards leisure facilities, public art, sports pitches, open space and play, allotments, road improvements and education, fire and libraries.