

Recommendation Report for Planning Permission

REF NO: LU/287/17/PL

LOCATION: 46a & 47 Pier Road &
Land north of Clifton Road
Littlehampton
BN17 5LW

PROPOSAL: Demolition of existing buildings, change of use & erection of 1 No. building incorporate office (B1) at ground floor & 8 No. dwellings at first and second floor level.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal relates to 2 x 1 bed flats and 6 x 2 bed flats at first and second floor and 3 commercial units at ground floor. Each flat has a balcony or roof terrace and 8 car parking spaces are included to the rear.
SITE AREA	0.6 hectares
RESIDENTIAL DEVELOPMENT DENSITY (NET)	133 dwellings per hectare
TOPOGRAPHY	Predominantly flat, but land rises to west.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Buildings abut the eastern road frontage in Clifton Road. To the north the site frontage is open and used for car parking.
SITE CHARACTERISTICS	Existing buildings are a mixture of white painted brick and clad elevations and buff colour brick work. Car parking is available to the south and is hard surfaced. The buildings are in commercial use as a garage where cars are sold and repaired.
CHARACTER OF LOCALITY	Predominantly residential, but commercial/retail uses at ground floor in Pier Road.

RELEVANT SITE HISTORY

LU/11/61	Use Of Part Of The G/F For Retail Sales	Approve 10-02-61
LU/149/10/	Outline application for redevelopment of 46a -47 Pier Road including the provision of 11 no. flats/maisonettes.	Withdrawn 05-08-10

LU/354/07/	Outline application for new training hall for army cadet force and change of use of existing drill hall to Class B1 business. (Re-submission following application LU/355/06/)	ApproveConditionally 15-11-07
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council

No Objection - The Committee would however expect to see further consultation if any further reduction in parking provision is proposed.

2 Objections - This precludes any existing plans for the long term future of the whole of Pier Road/ Clifton Road which is desperately in need of improvement and offers the opportunity for creative enhancement. The application is for a bland slab sided 3 storey block, the like of which are perhaps too many in Littlehampton.

This contributes to housing allocation. but contributes little to heritage, tourism and the future economic growth and vitality of Pier Road and its maritime and riverfront culture.

The building has a flat roof quite out of keeping with neighbouring properties all of which have pitched roofs.

Insufficient car parking.

Question whether connection to a manhole 220m away is a practical or viable option.

Consideration of applications on a case by case basis without reference to a clear integrated vision is regrettable.

Whilst the development is welcomed the proposed building is very near, only 7m from windows so we will be looking directly into the living spaces. Most of light will be gone given the proximity of the 3 storey block.

COMMENTS ON REPRESENTATIONS RECEIVED:

Applications are submitted individually and need to be considered on a case by case basis. It is considered that the proposal represents an improvement of the area. The existing buildings have no architectural merit.

This application does contribute to the future economic growth and vitality of Pier Road. The flat roof proposed would not reflect the design of adjacent buildings but does not appear out of keeping in the street scene.

Car parking is satisfactory, County Highways have no objection to the application.

The connection to manholes would be dealt with by consultation with Southern Water and at Building Regulations stage.

Whilst the development is 7.5 to 8.5m from windows on the opposite side of Clifton Road and neighbours will be looking directly into the living spaces, conditions have been imposed to reduce overlooking from balconies and windows at first and second floor level. 3 bedroom windows will be provided at each floor without a restriction and given that the windows face onto a road and there is a reasonable gap any loss of light or outlook would not result in material harm.

CONSULTATIONS

Engineering Services Manager
 Engineers (Drainage)
 Engineers (Coastal Protection)
 Southern Water Planning
 Economic Regeneration
 Environment Agency
 WSCC Strategic Planning
 Environmental Health
 Conservation Officer
 Environment Agency
 WSCC Strategic Planning
 WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

County Highways - No Objection. Amended plans have been received that demonstrate a fixed bollard behind space 8 to prevent a car exiting on to Clifton Road in reverse, where visibility is restricted. This should be maintained in perpetuity and can be secured under a suitably worded condition. Space 7 and 8 will be allocated to a single flat and the remaining spaces of an unallocated arrangement. On this basis the WSCC Car Parking Demand Calculator envisions a total demand of eight spaces should be provided therefore the LHA are satisfied with the level of car parking provided for the flats.

Vehicle visibility splays have not been demonstrated. The LHA has considered the existing use at the site and number of vehicle movements that could take place currently via substandard accesses (garage doors abutting directly to the road). Vehicle movements are not anticipated to be severely increased over the existing and some improvement to visibility is provided by widening the access point and setting back the building line. The LHA also consider the slow speed and lightly trafficked nature of Clifton Road. In summary the combination of these factors would result in improvement over the existing parking, access and visibility and therefore no grounds to resist the proposals could be substantiated. Furthermore, the formalised parking layout within the site now allows for a turn on site to exit onto Clifton Road in a forward gear.

Conclusion

In summary the LHA are satisfied that our concerns have been addressed and that the proposed development is not anticipated to cause a detrimental impact to the safe operation of the nearby public road network. We also raise no concerns regards to capacity and judge that the proposals meet with paragraph 32 of the National Planning Policy Framework and there are no transport grounds to resist the application.

Environment Agency - Following submission of an amended Flood Risk Assessment (FRA) we are

satisfied our previous objection can be removed subject to the following comments:

The proposed development will only meet the requirements of the National Planning Policy Framework if the following measure(s) as detailed in the Flood Risk Assessment (FRA) (November 2017) submitted with this application are implemented and secured by way of a planning condition on any planning permission.

Economic Development - No objection to this application. We would welcome the improvement to the area and are pleased that the retail element, fronting Pier Road, remains unaffected,

Southern Water - No Objection. The exact position of the public sewers must be determined on site by the applicant before the layout of the proposed development is finalised.

Environmental Health - No Objection. Please condition submission of a Construction Management Plan, hours of operation and noise levels.

COMMENTS ON CONSULTATION RESPONSES:

- comments noted

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary

DEVELOPMENT PLAN POLICES

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

GEN7	The Form of New Development
GEN9	Foul and Surface Water Drainage
GEN10	Tidal Flooding and Coastal Defence
GEN12	Parking in New Development

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

D DM1	Aspects of Form and Design Quality
D DM2	Internal Space Standards
D SP1	Design
T SP1	Transport and Development

[Littlehampton Neighbourhood Plan 2014 Policy 1](#) The Presumption in Favour of Sustainable Development

Littlehampton Neighbourhood Plan 2014 Policy 22 Design of New Development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's

Waste and Minerals Plans and Made Neighbourhood Development Plans.

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

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

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

The Neighbourhood Development Plan

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

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Policies 1 and 22 of Littlehampton Neighbourhood Development Plan are considered relevant.

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 it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the

surrounding area.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS

PRINCIPLE

The site lies in an urban area where the principle of development is considered acceptable. Given the location of the premises and their current state of repair, the principle of modernisation and replacement of the existing buildings on the site would be acceptable.

VISUAL AMENITY AND CHARACTER OF THE AREA

Planning Policies and Central Government Advice support the efficient and effective use of land. Policy GEN7(ii) requires new developments to respond positively to the identified characteristics of a particular site to create developments which respect local characteristics. The area is characterised by a traditional form of older style pitched roof properties with mainly brick and rendered elevations of 2 and 3 storey height. Many of the nearby neighbouring buildings have been identified as Buildings of Special Character.

However the site does not lie in within an Area of Special Character and does not comprise any buildings of special character. The existing buildings on the site are of no architectural merit and their replacement is welcomed and considered to make a positive contribution to the visual amenities of the area. Whilst not being identical to neighbouring units the development would not appear prominent or obtrusive and blends into the neighbouring development given the intended use of brick and render to the elevations final details of which are conditioned. The form of the development is considered to be acceptable.

The development proposed would contrast with the adjoining development but would not result in material harm to the visual amenities of the locality. The design does not replicate any existing built form but the roof area adjacent to Clifton Road is set back from the site frontage and staggered in height and position adjacent to the road frontage which reduces its prominence in the street scene. It retains a gap to the adjacent development to the west elevation to provide visual separation between the units.

RESIDENTIAL AMENITY

Arun District Local Plan Policy GEN7 indicates planning permission will only be granted for schemes displaying high quality design and layout. It further indicates development will be permitted if it takes into account impact on adjoining occupiers, land, use or property. Planning Policy indicates that good design should contribute positively to making places better for people.

The proposal would provide a 2.3m gap to the adjoining premises in Clifton Road to the east. Given the orientation of the existing dwelling to the north it is considered that the reduction in light and outlook from the first floor window is acceptable. The reduction would not result in material harm. The development would also move the built form of the development closer to the southern part of Clifton Road, but it would retain a gap of between 7.5m and 8.5m to 'Riverside'. To prevent a significant and harmful impact on residential amenity it is proposed to impose a condition to prevent overlooking from kitchen windows at first and second floor and the balconies. The distance from the other bedroom windows and roof terrace are considered adequate to prevent any materially adverse overlooking or overbearing impacts to

the neighbouring dwelling. The drill Hall is not in residential use so the separation distances from the boundaries are considered satisfactory. There are windows in the rear elevation of no 47, which is in the same ownership as the application site, which face onto the application site, but the ground floor serve rooms in commercial use. Further the development is 1.5m from the elevation closest to this property and is set in 4.5m from the site frontage. This is considered satisfactory to ensure there is no materially adverse overbearing or overlooking impact on the adjacent property to the west. The proposal provides a gap to the northern boundary from the rear windows and balconies of 14m which is adequate to prevent materially adverse overlooking outside of the site. The rear balconies serving the first and second floor units in the section of the building that projects to the north are conditioned to be obscure glazed on the north and south elevations to prevent a material loss of privacy to both other flats within the development and properties to the north.

The existing use as a garage generates noise and activity and it is likely that these levels will reduce given the residential use incorporated in the scheme and the car repair use which is often recognised as unneighbourly use will be removed.

In terms of the residential amenities of proposed occupiers every flat has access to a separate outside amenity area in the form of a roof terrace or balcony in accordance with policy DDM3 of the emerging local plan. The proposal also accords with the nationally prescribed internal space standards every flat has a gross internal floor area exceeding the standards.

EMPLOYMENT OPPORTUNITIES

The proposal seeks to incorporate flexible commercial development at ground floor which is compatible with first floor and neighbouring residential uses. There would therefore be no net loss of employment opportunities at the site.

HIGHWAYS

Following receipt of revised plans County Highways have now raised no highway objection to the level of parking provision. The site is sustainably located and the proposal would not significantly increase the amount of traffic generated by the use of the site. It is not considered that the proposal would have 'severe' impact on the operation of the highway network and therefore is not contrary to the National Planning Policy Framework (para 32), and there are no highway grounds to resist the proposal.

FLOODING

The application is supported by a Flood Risk Assessment and is now acceptable in terms of flood risk. The Environment Agency are satisfied that the proposals comply with the National Planning Policy Framework (NPPF) and therefore have no objections to the proposed development.

CONCLUSION

The application is therefore recommended for approval subject to the following conditions

HUMAN RIGHTS ACT

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

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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

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

RECOMMENDATION

APPROVE CONDITIONALLY

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

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

- 2 The development hereby approved shall be carried out in accordance with the following approved plans
 Block / Location TA 948/01 revB
 Proposed Site Plan TA 948/10 rev D
 Existing Survey TA948/02 rev A
 Proposed Ground Floor Plan TA 948/11 rev F
 Proposed First Floor Plan TA 948/12 rev D
 Proposed second floor plan TA 948/13 rev B
 Proposed Rear Elevation TA 948/16 rev E
 Proposed rear elevation TA 948/21 rev E
 Proposed front elevation TA 948/19 rev F
 Proposed Front elevation TA 948/14 rev F
 Proposed side elevation TA 948/22 rev E
 Proposed side elevation TA 948/23 rev B
 Proposed side elevation TA 948/17 rev E
 Proposed side elevation TA 948/18 rev B
 Proposed side elevation TA 948/20 rev E
 Proposed side elevation TA 948/15 rev E
 Proposed Parking and access arrangements TA 948/24 rev A

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

- 3 No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the approved drawing.

Reason: In the interests of road safety in accordance with policy GEN12 of Arun District Local Plan.

- 4 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan, including the fixed bollard as indicated on the Proposed parking and access arrangements plan. These 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 GEN12 of Arun District Local Plan

- 5 No part of the development shall be first occupied until the vehicle turning space has been constructed within the site in accordance with the approved site plan. This space shall thereafter be retained at all times for their designated use.

Reason: In the interests of road safety in accordance with policy GEN12 of Arun District Local Plan .

- 6 Construction Management Plan
No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,
- the anticipated number, frequency and types of vehicles used during construction,
 - the method of access and routing of vehicles during construction,
 - the parking of vehicles by site operatives and visitors,
 - the loading and unloading of plant, materials and waste,
 - the storage of plant and materials used in construction of the development,
 - the erection and maintenance of security hoarding,
 - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
 - details of public engagement both prior to and during construction works.
- An indicative programme for carrying out the works
- The arrangements for public consultation and liaison during the construction works.
- Measures to minimise the noise (including vibration) generated by the construction process to include hours of work,
- proposed method should foundation piling occur, the careful selection of plant and machinery and use of noise mitigation barriers.
- Detail of any flood lighting, including location, height, type and direction

Reason: In the interests of highway safety and the amenities of the area. It is considered necessary for this to be a pre-commencement condition because any works on the site could result in congestion or noise which could compromise highway safety and residential amenity in accordance with the NPPF and policy GEN7 of Arun District Local Plan.

- 7 Prior to commencement of development the developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to divert the public sewers,

Reason: It is considered necessary for this to be a pre-commencement condition because the drainage needs to be resolved satisfactorily before the development proceeds in accordance with policy GEN9 of Arun District Local Plan.

- 8 Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

Reason: It is considered necessary for this to be a pre-commencement condition because the drainage needs to be resolved satisfactorily before the development proceeds in accordance with policy GEN9 of Arun District Local Plan.

- 9 No operations authorised or required under this permission shall take place except between the hours of 7:00 to 18:00hours Monday to Fridays inclusive and 8:00 to 13:00 hours on Saturdays. No working, including maintenance of vehicles, plant or machinery, shall take place on Sundays or any Public or Bank Holiday.

Reason: In the interest of the amenity in accordance with policy GEN7 of Arun District Local Plan.

- 10 The kitchen windows on the north elevation of the building at first and second floor and the small secondary bedroom window to the westerly unit shall at all times be glazed with obscured glass and fixed to be permanently non-opening below 1.7m internal floor level

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 11 The balconies on the north elevation of the building at first and second floor shall at all times be glazed with obscured glass up to 1.7m floor level.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan

- 12 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 shall be submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

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

- 13 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 GEN7 of the Arun District Local Plan.

- 14 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (November 2017) and the following mitigation measures detailed within the FRA:

· Finished floor levels of first floor are set no lower than 5.23m above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

In accordance with policies GEN7 and GEN11 of the Arun District Local Plan.

- 15 It is noted that there are mechanical ventilation systems to food businesses proximal to this proposed building.

There is also no detail as whether the proposed new commercial units/other will be fitted with air conditioning. Before the development commences the applicant shall submit an acoustic report to predict noise levels at the facades of the proposed residential units together with any mitigation measures that may be required. This shall demonstrate that noise levels within the residential units will conform to the 'internal ambient noise levels for dwellings' guideline values specified within BS8233:2014, Guidance on Sound Insulation and Noise Reduction for Buildings. Such a report to be representative of the times at which any source of noise would be expected to be operational. Suitable post construction validation testing to be carried out to the satisfaction of the Local Authority Planning Department before occupation of the residential units should a problem be highlighted.

- 16 Prior to the commencement of the development hereby approved, a detailed level survey of the site including existing and resulting ground levels and the slab levels of the building the subject of this approval, shall be submitted to and approved by the Local Planning Authority. The development shall proceed only in accordance with the details thus approved and there shall be no subsequent raising of levels without prior written approval of the Local Planning Authority.

Reason: It is considered necessary for this to be a pre-commencement condition because the increase in site levels need to be established In order to safeguard the amenities of the area and neighbouring residents in accordance with policy GEN7 of the Arun District Local Plan.

- 17 The north and south ends of the balconies on the northern projection of the development at first and second floor shall at all times be obscure glazed to a height of 1.7m

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy GEN7 of the Arun District Local Plan.

- 18 Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority, the scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the public/buildings/environment when the site is developed and development shall not commence until the measures approved in the scheme have been implemented.

Reason: To prevent pollution of water and nearby land in accordance with policy GEN7 of the Arun District Local Plan.

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

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

20 INFORMATIVE:

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

21 INFORMATIVE:

Areas of the premises may require registration under the Food Safety Act 1990 and will need to comply with the standards contained in the relevant Food Hygiene Regulations prior to becoming operational. Please note that high level ventilation may be required. The applicant is advised to contact the Environmental Health Department for further information

22 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.

23 INFORMATIVE: Section 278 Agreement of the 1980 Highways Act - Works within the Highway
The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

24 INFORMATIVE: Section 38 Agreement of the 1980 Highways Act - Provision of Adoptable Highway
The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the proposed adoptable on-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that any works commenced prior to the S38 agreement being in place are undertaken at their own risk.

25 INFORMATIVE: The Environment Agency recommend that the owner/occupants sign up to the Environment Agency Flood Warning Service and have a flood evacuation plan and that consideration be given to use of flood mitigation measures to reduce the impact of flooding when it occurs. Flood mitigation measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. More information can be found in the communities and local Government publication 'Improving the flood performance of new buildings' which can be viewed at:
<http://www.communities.gov.uk/publications/planningandbuilding/improvingflood>