

REPORT UPDATE

Application No: LU/95/26/PL

Reason for the Update / Changes

The site history did not appear to have copied into the agenda.

SITE HISTORY

Two enforcement notices (EN) have been issued and quashed. The first was issued on 13 September 2024 and required all development be removed and the land returned to its previous condition. The notice was quashed on the 26 August 2025 as the Inspector concluded the EN did not specify with sufficient clarity the alleged breach of planning control and the steps required for compliance.

A second EN was issued on 1 October 2025. This notice was quashed on 25 March 2026 as the Inspector identified the appeal site in the EN is not one planning unit and the description is incorrect. This was not an issue in the first notice and its unclear why this was a concern in the second appeal and not the first. The notice referred to the whole site which includes two separate businesses with individual accesses and it could not been considered as one planning unit.

The notices were served for the following reason:-

The development is deemed harmful to residential amenity and is inappropriate and detrimental in terms of the context of the local character of the area. The development is of poor design and there is an unknown risk in terms of drainage and flooding on site, with no known consideration to the natural environment. The development is contrary to policies QE SP1, QE DM1, QE DM2, QE DM3, ECC SP1, W DM3, W SP1, D DM1, D SP1 and ENV DM5 of the Arun Local Plan

Additional drainage details were received which proposed discharge to an existing storm water pipe provided for this site within the design by the adjacent developer, if infiltration was found unfeasible. No additional comments have been received from the drainage engineers.

The agent provided a noise assessment that was submitted in relation to a new dwelling to the southwest of the site whereby Environmental Health had no objections.

The NPPF has been updated.

Policy E2.1 (a) requires substantial weight be given to economic benefits for commercial development which allow businesses to invest, expand and/or adapt; especially where this would support the economic vision and strategy for the area. The proposal does not support the vision for the area and does not change the officer recommendation.

Policy P3.1 states development should be appropriate for its location. Policy P3.2 (a) makes reference to living conditions and avoid exposure to levels of air, noise, artificial light and other sources of pollution which can have an adverse effect.

Paragraph 116 of the NPPF is replaced by policy TR6.4 states development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety.

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

Recommendation Report for Planning Permission

REF NO: LU/95/26/PL

LOCATION: P and O Scaffolding Ltd
Toddington Lane
Littlehampton
BN17 7PN

PROPOSAL: Retention of change of use from agricultural land to scaffolding yard (Sui Generis). This application may affect the setting of a listed building and is in CIL Zone 2 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Retrospective application for the change of use of agricultural land to a scaffolding yard. To enable the change of use, the land has altered from grassland to a hard surface. The land is used in relation to a scaffold/construction business which includes a large amount of scaffold bars and ancillary equipment.
TREES	There are three portable buildings used as an office and for staff facilities such as w/c. Buildings A & B are to the northeast boundary and Building C to the southwest. These are on a raised deck and due to the height and position of Building C, at around 3.5m in height are visible from the highway. In addition to the portable buildings there are a number of covered storage areas. These vary in height but have a maximum of 6m. These appear to be constructed using scaffolding with panels covering the roof and are visible from the front of the site due to its height at two storey level.
BOUNDARY TREATMENT	There are trees to the northeast boundary of the site.
SITE CHARACTERISTICS	Vehicular entrance to the southeast with metal gates to secure the access. There is hedge line along its northeast boundary interspersed with maturing deciduous trees.
CHARACTER OF LOCALITY	Scaffolding and construction business with stored scaffold equipment and three single storey structures. The site is hard surfaced with a parking area to the south.
SITE HISTORY	Part of a strategic mixed-use allocation, with residential properties to the north, south and west and commercial units to the north-west.

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2024 and required all development be removed and the land returned to its previous condition. The notice was quashed on the 26 August 2025 as the Inspector concluded the EN did not specify with sufficient clarity the alleged breach of planning control and the steps required for compliance.

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REPRESENTATIONS

Littlehampton Town Council - support.

- Employment opportunities are provided by a local business.
- Encouraged the inclusions of biodiversity mitigation as detailed in the statement.

1 objection

- Overpowering.
- Excessive noise from the scaffold poles.
- Vehicles use the site on a weekend.
- It is not a suitable site for a large commercial enterprise.

A petition from the applicant has been provided in support of the application with 394 signatures.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and addressed below.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADC Archaeology - No objection and no reason to require measures to mitigate impact.

Environmental Health (EH) - Holding Objection.

- Noise from scaffold storage sites can be intrusive as well as HGV movements. Noise concerns should be resolved prior to any consent. If this can not be achieved conditions should be included for noise sensitive development.

WSCC Highways - No adverse impact upon the highway.

ADC Drainage - Objection. Insufficient groundwater monitoring has been provided to demonstrate infiltration is achievable. The surface water drainage strategy does not account for the flood risk on site

and flood water is expected to enter the surface water drainage system via the permeable surfacing. Interception drainage has not been mentioned in the Flood Risk Assessment (FRA). The water quality assessment is inadequate and inaccurate for the purposes of the design.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Built up area boundary

Archaeological Notification Area

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
SODM1	SO DM1 Soils
QEDM1	QE DM1 Noise Pollution
QESP1	QE SP1 Quality of the Environment
HERDM1	HER DM1 Listed Buildings
HERSP1	HER SP1 The Historic Environment
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems

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

Littlehampton Neighbourhood Plan 2014 Policy 2 A Spatial Plan for the Town

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
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.

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 conflict with relevant Development Plan policies in that it would have unacceptable harm to the visual amenity and character of the area and has not demonstrated that it would not result in unacceptable noise upon residential amenity, nor how the site would be drained and would not increase flood risk elsewhere.

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

There are no other material considerations to be weighed in the balance with the Development Plan.

BIODIVERSITY NET GAIN

This application is not liable for Biodiversity Net Gain (BNG) as it is a retrospective application.

CONCLUSIONS

PRINCIPLE

The site falls within the built-up area boundary (BUAB) where the principle of development is acceptable subject to compliance with relevant development plan policies. These policies relate to matters such as appearance and design, impact on neighbouring amenity, heritage, highway, flood risk and trees.

The land forms part of a wider masterplan for the development of 1,260 new dwellings, up to 13,000 sqm of B1 employment floorspace, up to 3,500 sqm of Class A local facilities, a 100 bed hotel, 60 bed care home, a new 2 Form Entry primary school, community centre, youth and leisure facilities.

Littlehampton has a made Neighbourhood Plan with policy 1 and 2 of relevance which seeks to locate development within the BUAB.

BACKGROUND

The site was agricultural land, surrounded by glasshouse development in around 2013. Google Earth shows that a small parking area was constructed to the southeast of the site in around 2015 and subsequently the development on the land started to expand, with the whole site covered in hardstanding by 2022. Following this, the site split into two, with one half serving as a scaffold/construction business and the other for storage containers (LU/96/26/PL).

EMPLOYMENT LAND

ALP policy EMP DM1 refers to relocation and expansion of existing businesses and states the Council will act positively to encourage the relocation of existing firms wishing to expand within Arun District

where this will improve their economic and environmental sustainability, improve the local environment for local residents and/or enhance the sustainable development potential of adjoining sites.

The planning statement confirms that the business re-located onto the site from its former premises in Toddington Lane. The former premises was redeveloped for housing and to ensure the business continued this land was offered by the landowner as an alternative.

The site serves P and O Scaffolding which has 59 employees and P and O Brickworks which has 117 employees, with 50% of employees living within 15 miles of the site. It is a well established business which contributes to the local economy. The policy states the Council would act positively where it will improve environmental sustainability and improve the local environment for residents. This is discussed below in the design, amenity and drainage section.

The use of the site for employment land contributes towards the local economy. Based on the harm upon the environment and local residents as discussed in the report below, the proposal does not comply with the policy.

LOSS OF AGRICULTURAL LAND

ALP policy SO DM1 restricts development unless need for the development outweighs the need to protect such land in the long term.

The site was agricultural land prior to the change of use of the site and its loss needs to be considered. The soil classification is unknown and there is no data on Magic maps.

The site was sandwiched between horticultural uses and residential properties to the southwest. Over time the area has undergone significant development, primarily due to a strategic allocation.

The planning statement essentially justifies the loss of the agricultural land due to the economic benefit of the business which was relocated from elsewhere in the district.

The wider vicinity is no longer in use for horticultural purposes and it is unlikely the site would be used in the future as it is a small area of land surrounded by development of non-agricultural uses. It is isolated from other agricultural sites and is not physically connected with adjacent countryside.

Whilst limited information has been provided to justify the loss, due to the location of the site which is unlikely to have potential for agricultural/horticultural use, the loss of agricultural land is acceptable.

DESIGN AND VISUAL AMENITY

ALP policy D DM1 looks at aspects of form and design quality, including character, attractiveness, innovation, residential amenity impact, adaptability, density, scale, trees, crime prevention. New buildings should be harmonious with their surroundings and successfully integrate with the existing surrounding environment. ALP policy D SP1 requires that development proposals make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details. ALP policy QE SP1 seeks to ensure that all development contributes positively to the quality of the environment.

Residential dwellings adjoin the site to the west and east. Whilst there is some commercial development around 40m to the rear (Five Stones Industrial Estate) this contains a number of single storey pitched roof structures and is not comparable to that of the site proposed, with no heavy industry or storage and distribution businesses.

Part J of the Arun Design Guide (ADG) concerns building design. This states the design of new

development must ensure the existing character and sense of place of an area is respected and enhanced. It states the form and character should incorporate architectural forms and features that predominate in the surrounding area.

Whilst there is some commercial use in the vicinity, the proposed is a piecemeal development, separate to existing commercial premises to the north and to the commercial land allocated as part of the masterplan for the site. Whilst the character of the area has changed with a transition from agricultural/horticultural to residential, the use of the site for a sui generis scaffold business is out of character with the context of the local area. The cumulative impact of the stacked materials on site of varying scale, which is cluttered in nature, with no formal layout, adversely harms the character and appearance of the local area. All of which is contrary to ALP policies D DM1 and D SP1.

The use of the land for storage of scaffold equipment with high metal towers for storage appears as an alien feature and results in visual harm to the appearance of the site. It does not enhance the character of the area and does not contribute positively to the street scene.

The design and appearance of the site does not reflect the local character, nor respect and enhance the sense of place, in direct conflict with ALP policies D DM1, D SP1, QE SP1 and the ADG.

RESIDENTIAL AMENITY

ALP policy D DM1(3) indicates planning permission will only be granted where it has minimal impact on the users or occupiers of nearby land. This would be avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance. ALP policy QE SP1 requires that all development contributes positively to the quality of the environment and that it does not have a significantly negative impact upon residential amenity. ALP policy QE DM1 relates to noise.

The site has residential dwellings to its northeast boundary. There are properties to the southwest although there is a neighbouring business which provides further separation to these properties.

The dwellings on Kenney Drive to the northeast are in close proximity to the site boundary, with the covered storage area approximately 7.5m from the boundary of the dwellings. Due to its height, it is likely this is visible from the rear elevation of the No.48 and 50. Whilst likely gives rise to some overbearing impact, this is unlikely to be significant with windows appearing to serve one bedroom and a landing.

The site has a storage function however this is an active, operational base for businesses and, effectively, a depot for associated trucks and vans when loading/unloading scaffold materials. Due to nature of the business, there would be noise and disturbance generated as a result. There is significant potential to give rise to loud and unpredictable noises (when metal hits metal) with disturbance thus unavoidable, along with other various operations on site. The application states that there are a fleet of 3 lorries and 12 vans. If these are loaded up daily with scaffolding equipment this is likely to create adverse noise, along with vehicular noise. The agent has provided appeal decisions which demonstrate that noise could be mitigated by the use of operating hours. In that case, the properties were around 18m from the site. The nearest neighbour to this site is around 7.5m from the boundary and a restriction on hours wouldn't mitigate loud noises during working hours. The Design and Access (D&A) Statement states residences are shielded by intervening hedges and trees. Whilst this provides some screening, these do not have a TPO and if they were to be removed at a later date, it would remove any screening.

Environmental Health provided a holding objection. They note noise from scaffold storage sites can be intrusive, with loud sharp metal banging, along with HGV movements which are in relatively close proximity to residential properties. It is recommended that noise mitigation be dealt with prior to any consent however conditions have been requested should this not be achieved. As the application is intended for refusal further information has not been requested to address these comments. While it may

be possible to impose conditions which would limit the scope of use and the fundamental hours of use during the week, a condition relating to noise management, would not be sufficient to avoid instances where the noise and disturbance associated with the loading and unloading of the lorries would cause harm to neighbouring residential amenity.

Given the size and open nature of the scaffolding storage this would give rise to undue noise and disturbance to the residential amenities of adjoining properties and would be contrary to ALP policies D DM1(3), QE SP1 and QE SP1.

PARKING/HIGHWAYS

ALP policy T SP1 seeks to ensure development provides safe access on to the highway network; contributes to highway improvements (where appropriate) and promotes sustainable transport.

The site has an access from an unadopted track, which then connects to Toddington Lane. The access track is a public right of way. This appears to have been constructed around 2015.

Arun Parking Standards do not have a specific requirement for a sui generis use. It states 'parking for non-residential uses needs to consider the accessibility of the site, the likely demand for parking and the viability of the site'. The site has parking for 10-12 cars to the southern end. This does not have dedicated parking bays but the site plan shows a large amount of space which would be able to accommodate vehicles and this is supported by a photo demonstrating how parking is arranged on site.

The application notes employees arrive, load up their vans and then leave site for the day, therefore the demand for parking at the site during the day is unlikely to be significant in which it cannot be accommodated on site. The largest vehicles that use the site are flat bed lorries with a length of 9.5m by 2.5m. No plans have been provided to show how these manoeuvre on site however, on the basis that the use has been going on for some time, it appears the access and turning within the site is sufficient.

WSCC Highways have no objection. A private access road links the maintained highway to the application site. There are no apparent visibility concerns with the existing point of access. There appears to be sufficient parking and turning space to meet the needs of the site.

The proposal would not result in harm upon the highway and complies with ALP policy T SP1.

FLOOD RISK AND DRAINAGE

Most of the site is in Flood Zone 1 with elements to the south and east boundary within Flood Zone 2 and 3. The flood map for planning indicates that a far larger proportion of the site will be in Flood Zone 3 in the future 2070-2125. The Flood Risk Assessment (FRA) does not discuss the impact of climate change on flood risk classifications.

The FRA states the three offices are on a raised deck around 600-700mm above ground. Any flooding that may occur would pass under the structure. Due to the nature of the structures which are used during the daytime for office use and staff facilities and would not be used for overnight sleeping, it is not considered users would be at risk from flooding. It is recommended that should there be flood warnings, operations should cease. The FRA details that the southwestern corner of the site, due to the topography is safe from flood risk and could be utilised for safety.

With regards to drainage, the applicant states the site has been covered with hardcore which is permeable and surface water will infiltrate to ground. The FRA states groundwater monitoring took place with groundwater around 2m below the surface, suitable for infiltration and this will provide the required volume for the 100 year + 45% climate change storm event. Arun Drainage Engineers object. The design is supported by groundwater monitoring over a 2 month period from early February to early April. This is

not long enough to cover the full winter period and there is a risk that peak groundwater level will be higher than recorded. Groundwater depths in this area are known to be variable and high, with nearby sites unable to rely on the use of infiltration. Evidence of a single infiltration test has been submitted. The date of testing is unknown and evidence of 3 repeat tests (in accordance with BRE DG 365) have not been submitted. Whilst the suggested use of infiltration is supported, its viability has been inadequately evidenced. No alternative disposal option has been suggested, should infiltration not be viable.

If infiltration is not viable, interception drainage will have to be achieved via water reuse and evapotranspiration, this could affect the scale and layout. The estimated greenfield runoff rates and volumes for the site have not been submitted. These are unlikely to affect the design if infiltration is viable. If infiltration is later found not to be viable then these are critical to determine the allowable discharge rate from the site. The placement of surface water storage and infiltration in Flood Zone 3 without evidence that it has been designed to operate under flood conditions warrants objection on this standard. There are concerns about the water quality assessment and the hazard level of the site due to the risk of pollution to groundwater.

The surface water drainage strategy does not account for on site flood risk and flood water is expected to enter the surface water drainage system via the permeable surfacing. This conflicts with advice against locating SuDS in flood risk areas.

The application has not demonstrated that it can satisfactorily drain surface water and it would not result in an increase in flood risk on the site in conflict with ALP policy W DM2 and WDM3.

BIODIVERSITY

The proposal is exempt from mandatory net gain as the development is retrospective. It would still need to provide a net gain in compliance with ALP policy ENV DM5. This could be achieved through the installation of features such as bird/bat boxes.

The planning statement suggests the car park could be landscaped with new planters to support biodiversity. This could be controlled via condition and if the application were to be approved it could accord with ALP policy ENV DM5.

TREES

ALP policy ENV DM4 seeks to protect trees.

The site has a total of 5 individual trees (3 Hornbeam and 2 Ash) and hedgerows consisting of Hawthorn (G2 and G8) and Leyland Cypress (G1) along the northeast boundary. Hedging is present to the north, northeast and southeast.

The Arboricultural Assessment (AA) states 'the individual trees are all of a similar age and planted in the last 35 years or so and still developing. The Ash trees show signs of early Ash Dieback and have no future. The Hornbeam (T7) has strips of dead bark up the stem from ground level, affecting its anticipated longevity'.

The root protection areas (RPA) of G1 slightly overlap with the edge of the developed site where stone surfacing has been laid. G2, G8 and the individual trees have had some compaction impact upon their RPA from the laying of the stone/hardcore and parking.

Mitigation is proposed along the northeast boundary for trees which have their RPA impacted. Existing surfacing is to be removed down to the underlying soil. Removal will be by hand tools only or direct supervision of a small excavator by an Arboricultural Consultant. Material will be pulled back on to the surfacing outside the tree RPAs and removed. The exposed soil will be forked to 15cm depth to alleviate

near surface compaction. A good quality topsoil will then be spread. Once top soiling is completed a new fence line will be erected along the alignment indicated on the Tree Protection Plan to demarcate and protect the rooting zones from future disturbance.

A replacement of materials on the parking area adjoining G8 Hawthorn is proposed. A geotextile product will be laid and pinned in place. This is a porous, load bearing material to reduce the impact upon the RPA of the hedge.

The proposal complies with ALP policy ENV DM4.

HERITAGE

ALP policy HER DM1 set out criteria for development where they might affect the setting of listed buildings. As such, the works should aim to conserve and contribute to the building's heritage assets, including its setting. Para 201 of the NPPF requires the Local Planning Authority to consider the significance of the impact upon that heritage asset.

The site is near a Grade II Listed Buildings to the west of the site; The Old Farmhouse & Holly Cottage identified as being C16 or early C17 and Dovecote at Toddington Farm. The Dovecote is dated 1699 and is a 2-storey square building with flint elevations and a tiled roof. It is attached to, and forms part of the property known as Old Byrne House. Both of these properties are considered to derive its significance from its architectural and historical interest.

The Conservation Officer does not object.

The site does not form part of the setting in which the significance of the listed buildings is experienced, either from the public realm or within their curtilages. It would appear that there is effectively no intervisibility, including from publicly accessible viewpoints, between the site and the listed buildings. As a result, the proposal does not influence the way in which the significance of the listed buildings is understood, including the appreciation of their form, plan and historic function within their immediate curtilage.

On that basis, the proposal is considered to preserve the significance of the listed buildings, including their setting, and results in no harm.

SUMMARY

The proposal seeks retention of the change of use of the site. Due to its location within the BUAB, the principle of development on this site is acceptable subject to compliance with development plan policies.

The proposal results in a development that is out of character with its surroundings, which is cluttered in nature, with no formal layout or design, adversely harming the character and appearance of the local area. The development has not demonstrated it would not result in adverse harm upon residential amenity by way of noise from the scaffolding and general activities, conflicting with ALP policies D DM1, D SP1, QE SP1. Further, the development has not demonstrated it can adequately drain surface water and would not result in an increase in flood risk in contrary to ALP policy W DM2 and W DM3. Cumulatively, these result in significant harm. Overall, the proposal conflicts with the plan as a whole.

The policies most relevant to the determination of the proposal are considered consistent with the NPPF, not out of date, and are therefore given substantial weight. As guided by para 12 of the NPPF, those applications which fail to accord with an up-to-date plan, should normally be refused.

If para 11(d)(ii) were to be applied to the proposal, the use of the site for business purposes does result in moderate benefit, contributing to the economy and employing locally. The benefits of the change of

use do not outweigh the significant and demonstrable negative impacts to the character of the area, residential amenity and drainage especially when seeking to secure a well-designed place.

The application is recommended for refusal. If the Committee resolve to refuse the application, a further Enforcement Notice will be issued to rectify the breach of planning control.

HUMAN RIGHTS ACT

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

Consideration has been specifically given to Article 8 (Right to respect private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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.

CIL DETAILS

This application is not CIL liable.

RECOMMENDATION

REFUSE

- 1 The proposal, by reason of its siting, isolated from other commercial sites and cluttered informal layout and appearance, would appear out of keeping with the character of the locality, and would have adverse harm on the visual amenity of the area. This is in conflict with Arun Local Plan policies D DM1, D SP1 and QE SP1, the Arun Design Guide and the NPPF.
- 2 The proposal has not satisfactorily demonstrated that the development can sustainably drain surface water. As such, it has not been proven that the development can be adequately drained and would not increase flood risk elsewhere. This is in conflict with Arun Local Plan policies W DM2 and W DM3 and the NPPF.
- 3 Insufficient information has been provided to demonstrate that the use of the site would not result in excessive noise which would result in adverse harm to residential amenity in conflict with Arun Local Plan policies QE SP1, QE DM1 and D DM1(3).
- 4 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning

(Development Management Procedure) (England) Order 2015 (as amended). The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.