REPORT UPDATE

Application No: LY/9/17/PL

Reason for the Update / Changes

Reason for Update/Changes:

Consultation report received from Environmental Health stating;

We consider that planning permission should only be granted to the proposed development as submitted if the following planning conditions are imposed as set out below. Without this condition, the proposed development on this site poses an unacceptable risk to the environment and we would wish to object to the application

These conditions have been included in the amended recommendation report as Conditions 7, 8, 9, 10, 11, 12, 13, 14 and 15.

Environmental Health also requested that a condition was included securing the provision of electric vehicle charging points at the development. However, there is currently no policy justification for this condition and as such it has been excluded from inclusion in the updated recommendation report.

Officers Comment:

Comments noted and conditions included in the amended recommendation - excluding the provision of electric vehicle charging points.

Note: The changes to conditions are attached on the amended replacement recommendation sheet.

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.

LY/9/17/PL

Recommendation Report for Planning Permission

REF NO: **LY/9/17/PL**

LOCATION: Roseland
The Causeway
ARUNDEL

PROPOSAL: Demolition of the existing building & cessation of mixed commercial/residential use & redevelopment of the site with a new two storey building, comprising 4 no. residential flats - This is a Departure from the Development Plan

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks planning permission for the demolition of the existing mixed use commercial and residential property and the construction of a two storey building to provide 4 no. 1 bedroom flats with associated landscaping and car parking.
SITE AREA	Approximately 0.03 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	Approximately 133 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The existing building abuts the roadway with 4 parking spaces located to the east of the existing building. A 2m high wooden gate also abuts the road with the rear and side boundaries of the site consisting of mature planting to a height of between 2m and 3m.
SITE CHARACTERISTICS	The site is currently occupied by a single storey building with a double garage attached. The property is a live work unit comprising of residential accommodation and a commercial workshop. The existing building is constructed from brick with white windows. The property features a mix of roof materials including felt roofing and corrugated iron.
CHARACTER OF LOCALITY	The character of the locality is predominantly commercial with Arundel train station situated to the east of the site and associated car park to the south. A taxi rank is situated to the north-east with commercial uses located to the west and further to the south. Residential properties are located to the north adjacent to the A27.

RELEVANT SITE HISTORY

LY/23/99/	Formation of one dwelling within existing single storey building.	ApproveConditionally 19-10-1999

Planning permission was previously granted under reference LU/29/99/ for the formation of a 1no. dwelling within the existing single storey building.

REPRESENTATIONS

Representations received:

No comments received from Lyminster & Crossbush Parish Council.

Arundel Town Council:
Objection - Materials are unsympathetic to this area especially opposite a Victorian Railway Station.
This would be better suited to a single storey building.

1 No. letter of support;
The development at the Railway Station is positive for Arundel.

1. New housing in a location that has excellent transport links should attract people under retirement age. Arundel is currently in danger of becoming over populated by the elderly, with a high proportion of retirement property in/near the centre. This demographic make little, if any, contribution to the local economy and the SME's situated in the town rely heavily on local residents during the winter.
2. Architecturally, this proposed development is an unostentatacious building, sympathetic in style to the station. As a first impression for visitors to the town, it offers a positive and attractive outlook from the station replacing what looked like a neglected and derelict building.

Comments on Representations received:

Comments from Arundel Town Council are noted and will be considered in the conclusion to this report.

CONSULTATIONS

Economic Regeneration
Environment Agency
Southern Water Planning
Engineering Services Manager
Engineers (Drainage)
WSCC Strategic Planning
Highways England
Environmental Health
Network Rail

Consultations responses received:

Below is a summary of the consultation responses received in relation to this application. Full comments are available on the Arun District Council website.

WSCC HIGHWAYS:
· The development is served via a privately maintained "Q" classified road.
· This road adjoins the A27 which is maintained by Highways England. Therefore, it is advised that Highways England are consulted in relation to this development.

SOUTHERN WATER:
· Southern Water require a formal application for connection to the public foul sewer to be made by the applicant or developer. Therefore it is requested that an informative relating to this is included.
· The application makes reference to the use of a SUDS scheme. Where a SUDS scheme is to be implemented, the drainage details submitted to the LPA should;
- Specify responsibilities of each party for the implementation of the SUDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

ENVIRONMENT AGENCY:
· No objection was raised by the Environment Agency subject to the inclusion of a condition relating to the implementation of the development in accordance with the approved FRA and the mitigation measures specified within the FRA.
· On the basis that the site is within the River Arun Internal Drainage Board Catchment then an application for consent will need to be submitted to the Environment Agency, under Section 23 of the Land Drainage Act 1991 should any further investigation reveal a piped ditch.

ECONOMIC DEVELOPMENT:
· No comment on this application.

DRAINAGE & COASTAL ENGINEER:
· Please apply conditions ENGD2A, ENGD4A and ENGD6A

HIGHWAYS ENGLAND:
Comments awaited.

NETWORK RAIL:
Comments awaited.

ENVIRONMENTAL HEALTH:
Comments awaited.

Comments on Consultation responses:

Comments noted - requested conditions and informatives have been included as part of this recommendation report.

Comments are awaited from Highways England, Network Rail and the Council's Environmental Health department. A report update will be prepared prior to Development Control Committee in relation to these consultation responses.

POLICY CONTEXT

Designation applicable to site:
Outside built up area boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	AREA3	The Setting of Arundel
	GEN12	Parking in New Development
	GEN2	Built-up Area Boundary
	GEN22	Buildings or Structures of Character
	GEN3	Protection of the Countryside
	GEN5	Provision of New Residential Development
	GEN7	The Form of New Development
	GEN9	Foul and Surface Water Drainage
Publication Version of the Local Plan (October 2014):		C SP1 Countryside D DM1 Aspects of Form and Design Quality D DM2 Internal Space Standards T SP1 Transport and Development D DM3 External Space Standards D DM4 Extensions and Alterations to

Existing Buildings (residential and non-residential)
D SP1 Design
HER DM2 Locally Listed Buildings or Structures of Character
LAN DM2 The Setting of Arundel
SD SP2 Built-Up Area Boundary
W DM2 Flood Risk

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE

SPD9	Buildings or Structures of Character

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 may be 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. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

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 is taking place 10 April 2017 to 5pm on Tuesday 30 May 2017. 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 may also be material consideration to take into account.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used are material considerations in the determination of this planning application. The emerging Plan was submitted in January 2015 and the examination is currently suspended. The examination is due to re-commence in summer 2017 following publication of modifications to the Plan.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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; 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).

Lyminster & Crossbush Parish Council are not currently in the process of preparing a Neighbourhood Plan and as such there are no relevant policies to the determination of this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The site is situated outside of the built area boundary within a countryside location. Due to the location of the site it is not considered to accord with policies GEN2 and GEN3 of the Arun Local Plan.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background. Namely this is considered to be a sustainable form of development where there is a recognised shortage of housing and there are no significant adverse effects from granting permission.

CONCLUSIONS

PRINCIPLE

The application site is situated outside of the built up area boundary in a countryside location as defined by policies GEN2 and GEN3 of the Arun District Local Plan. These development plan policies seek to exert strict control over development in the countryside to protect it for its own sake.

Following the supreme court's ruling on the 10th May 2017 in relation to the proper interpretation of paragraph 49 of the National Planning Policy Framework (NPPF). It is considered that policies GEN2 and GEN3 of the Arun District Local Plan should no longer be considered as policies for "the supply of housing" for the purposes of paragraph 49.

However, it must be considered that policies GEN2 and GEN3 were prepared as part of a plan that was adopted in 2003, prior to the publication of the NPPF and based upon a much lower Objectively Assessed Housing Need (OAN) that only sought to accommodated residential development needs until 2011. The weight which can be attributed to policies GEN2 and GEN3 was considered in the 2014 appeal under reference APP/C3810/A/14/2220943. Paragraph 12 of this appeal decision stated that policies GEN2 and 3 (although still 'saved') could only be attributed limited weight due to the lack of a 5-year housing land supply within Arun District, in accordance with paragraph 49 of the NPPF.

It is considered that policy GEN5 of the Arun Local Plan relates to "the supply of housing" and as such is deemed to be out of date (given the Council's lack of a 5 year housing land supply).

The Examination of the emerging Local Plan was suspended by the Planning Inspector on the grounds that the Council's OAN should be reviewed higher than that proposed in the Local Plan (580 units p.a). The Council has therefore had to identify more suitable land to meet additional housing supply requirements. The OAN figure has been increased to 919 units per annum as of October 2016 with additional strategic sites currently being assessed and allocated in order to meet this higher figure. Therefore, given the current position of the emerging Local Plan it is considered that only limited weight can be afforded to the emerging Local Plan at this time.

Where the development plan is absent, silent or the relevant policies are out of date, paragraph 14 of the NPPF states that the presumption in favour of sustainable development requires the granting of planning permission, 'unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits'.

Currently the Council is unable to demonstrate a 5-year housing land supply as required by paragraph 49 of the NPPF. The primary purpose of paragraph 49 is to act as a trigger to the operation of the tilted balance in favour of approving sustainable development. The Council are currently only able to demonstrate <2 year supply of deliverable housing and as such it is considered by virtue of this significant shortfall that the tilted balance in favour of the grant of permission is triggered unless the benefits are significantly and demonstrably outweighed by the adverse effects of the development as stated in paragraph 14.

SUSTAINABILITY

Para 7 of the NPPF sets out the three dimensions to sustainable development - the economic, social and environmental roles. In order to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

Para 14 of the NPPF states that the presumption in favour of sustainable development requires the granting of planning permission, 'unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits'. Furthermore, paragraph 49 states that:

"Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites".

Environmental Role-
The application is situated outside of the built up area boundary. The Institute of Highway and Transportation (IHT) publication 'Guidelines for Providing Journeys on Foot (2000)' sets out recommended guidelines for walking distances. These guidelines identify a maximum walking distance of 800m for Town Centres, 2,000m for commuting and 1,200m for school and elsewhere.

The site is situated in close proximity to sustainable transport with Arundel train station situated immediately adjacent to the site and the Arundel station bus stop situated approximately 66m from the site. The site is situated approximately 650m from Arundel Town Centre which features a number of services, shops and facilities.

The proposed dwellings are 1 bedroom flats and as such it is considered that these would be most appealing to young professionals by virtue of their location in close proximity to transport links. The proposed units would be inappropriate as family accommodation and as such it is considered that the distance to local schools would not be unacceptably adverse.

Therefore, it is considered that the location of the proposed flats is sustainable in accordance with paragraph 29 of the NPPF.

Economic Role-
It is considered that the proposal will result in localised economic benefits through the need to employ people to carry out the development. The proposal will also result in an increase in Council Tax receipts and new homes bonus payments. These economic factors weigh in the schemes favour.

Social Role-
It is considered that the proposal will provide a number of social benefits through the provision of housing to meet the significant shortfall currently faced by the Local Authority.

The site is considered to be sustainable by virtue of its location given its close proximity to Arundel and main transport links (this will be considered in greater detail later in the conclusion of this report). Given the current housing land supply figure it is deemed that the proposed development should be considered with regard to other material considerations and the proposed development must be considered in the context of the presumption in favour of sustainable development. Therefore, it is considered that the principle of the proposed development is acceptable in current policy circumstances as set out in the NPPF. The assessment of the proposed development will now consider other policy considerations and whether this give rise to any adverse impacts which significantly and demonstrably outweigh the benefits of the proposed development.

DESIGN AND VISUAL AMENITY

The existing building on site was granted planning permission for use as a dwelling in 1999 and the Council are unaware of any evidence to suggest that this has not been the lawful use for the previous 17 years. The application proposes the demolition of this building and the construction of a two storey building sub divided to provide 4 no. 1 bedroom flats.

The proposed building will have a maximum height of approximately 9.55m, with an eaves height of 6m. It is therefore considered that the proposal will not appear out of scale with existing development within the immediate locality. The proposed building will be situated approximately 16m to the west of Arundel Station and has been designed with a number of similar design features to the existing station building.

The proposed development will be clearly visible within the street scene to those who access the station, but will be well screened from various vantage points along the A27. Vehicles and pedestrians crossing the bridge (over the railway line) will have clear visibility of the proposed development. But those looking towards the site from further to the east and west will find the building to be obscured by existing development and trees and planting. Therefore, it is considered that the proposal will not appear incongruous within the street scene or give rise to unacceptably adverse impact upon the established character of the locality.

The application site is situated adjacent to Arundel Station which is identified as a building of special character. Policy GEN22 of the Arun District Local Plan seeks to prevent the loss of existing building or structures of interest - it is also stated that development which would adversely affect the appearance or setting of such buildings will not be permitted. It is considered in this case that attempts have been made to design the proposed building so as to appear in keeping with the existing station.

The proposed elevations (sheet 1 and 2) show the building as being constructed from brown brick with a grey slate roof and brick quoins above the windows. Therefore, it is considered that the proposed building will appear in keeping with the character of the station. A condition has been included with this recommendation report requiring the submission of a schedule of materials prior to the commencement of development (above DPC). This will allow the LPA to ensure that the materials used in this development do not adversely impact upon the setting of the building of special character in accordance with GEN22 or the character of the locality in accordance with GEN7(ii) of the Arun District Local Plan.

SETTING OF ARUNDEL
Policy AREA3 of the Arun District Local Plan seeks to prevent development which would adversely impact upon the view of Arundel or its special setting.

The proposed development is situated in close proximity to existing development and is not of such significant height that it will give rise to detrimental impacts upon the setting of Arundel. Those leaving the station already have impeded views towards the castle by virtue of the trees and existing residential development. It is not until pedestrians reach the A27 that views of the castle are achievable. The proposed development by virtue of its location will also retain views of the cathedral for those exiting the train station.

Similarly, the proposal will not affect existing views of the Cathedral and castle for vehicles traveling on the A27. Therefore, it is considered that the proposed development does not conflict with policy AREA3 of the Arun Local Plan.

RESIDENTIAL AMENITY

The proposed development by virtue of its design and location is not considered to give rise to any unacceptable adverse overbearing, overshadowing or overlooking impacts on nearby development. The nearest residential property is located approximately 95m to the north-west.

There are a number of commercial uses including the station, station car park, taxi rank and a builders yard to the south (approximately 100m to the south of the site). A consultation response is awaited from environmental health to identify the potential impacts that these uses would have upon the residential amenity of future occupiers of the site and what mitigation measures if any are necessary to overcome any potential conflict.

The proposed development will consist of 4 no. 1 bedroom flats two of which will measure approximately 50.9m2 in floor area and two which will measure approximately 43m2. The two flats with a gross internal floor area of 50.9m2 exceed the requirements of the Nationally Described Space Standards (NDSS). The proposed one bed flats with a gross internal floor area of 43m2 fall short of these space standards by 7m2. However, given the size of the bedrooms and living room proposed it is considered that the shortfall will not result in unsatisfactory living accommodation for future occupiers. Therefore, it is considered that the size of the proposed flats accords with paragraph 17 of the NPPF which requires a good standard of amenity for future occupants of buildings.

The proposed development does not incorporate any balconies but will feature communal open space to the rear. Policy D DM3 of the emerging Local Plan seeks the provision of 4 sq.m of external amenity space per unit with the communal gardens exceeding this. Therefore, it is considered that the proposal make provision of adequate amenity space to ensure satisfactory living accommodation for future occupiers is satisfactory.

PARKING PROVISION

The application retains the provision of 4 parking spaces forward of the primary elevation. This equates to 1 parking space per flat which is in accordance with the requirements of the WSCC parking demand calculator.

WSCC were consulted in relation to this application but no comments were provided given that 'Station Approach' is a "Q" classified road and is accessed directly from the A27 which is maintained by Highways England. Therefore, no highways objections have been raised but comments are awaited from Highways England and will be included as a report update once they have been received.

FLOOD RISK & DRAINAGE

The site falls within flood zone 3 and consultation has taken place with the Environment Agency, who have raised no objection subject to development being implemented in accordance with the Flood Risk Assessment (FRA).

It is identified in the consultation response from the Council's Drainage Engineer that a culverted watercourse may cross the site and that this could have significant implication in respect of the proposed redevelopment of the site. It was confirmed by the Council's drainage engineers that the relocation of this drain/culvert would be acceptable. However, as the site is situated within the River Arun Internal Drainage Board Catchment (for whom the Environment Agency act as agents) then an application for consent will need to be submitted to the Environment Agency, under

Section 23 of the Land Drainage Act 1991 should any further investigations at the site reveal a piped ditch. This information has been included as an informative to ensure the applicant/developer is aware of their responsibilities.

Conditions 3, 4 and 5 have been included at the request of the Council's Drainage Engineer and will require the submission of details regarding drainage of the site prior to the commencement of development. Therefore, it is considered that the proposed development accords with relevant development plan policy relating to drainage.

SUMMARY
By virtue of the above it is considered that the proposed development will accord with relevant development plan policies and granting permission would not give rise to significant adverse effects. As such it is recommended for approval subject to the below 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 Plan - 1701/PL_02 Rev B
· Site Plan - 1701/PL_03 Rev C
· Proposed Elevations Sheet 1 - 1701/PL.08 Rev A
· Proposed Elevations Sheet 2 - 1701/PL.09 Rev A
· Proposed Ground Floor Plan - 1701/PL.05 Rev A
· Proposed First Floor Plan - 1701/PL.06
· Proposed Roof Plan - 1701/PL.07

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 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 building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building/extension.

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

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

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

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

No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details 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 GEN7 and GEN9 of the Arun District Council Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

5 The development shall not proceed until formal consent has been approved in writing from the Lead Local Flood Authority (WSCC) or its agent (ADC) for the discharge of any flows to watercourses, or the culverting, diversion, infilling or obstruction of any watercourse on the site.

Any discharge to a watercourse must be at a rate no greater than the pre-development

run off values.

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

6 The development layout shall not be agreed until such time that arrangements for the future access and maintenance of any watercourse or culvert (piped watercourse) crossing or abutting the site has been submitted and approved in writing by the Local Planning Authority.

No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities of any watercourse on or adjacent to the site.

Reason: To ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion.

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

1.A preliminary risk assessment which has identified:
· all previous uses
· potential contaminants associated with those uses
· a conceptual model of the site indicating sources, pathways and receptors
· potentially unacceptable risks arising from contamination at the site.

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

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

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Where demolition is required 1. and 2. above should be submitted prior to demolition. Parts 3. and 4. can take place post demolition if necessary.

Reason: To ensure that the development complies with approved details in the interests

of protection of the environment and prevention of harm to human health in accordance with Arun District Local Plan policy GEN7. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences.

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

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

9 Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the 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. It shall also include any plan (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 plan, and for the reporting of this to the local planning authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the remediated site has been reclaimed in an appropriate standard in accordance with Arun District Local Plan policy GEN7.

10 No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved by, The Local Planning Authority. The Approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

a. An indicative programme for carrying out the works

b. The arrangements for public consultation and liaison during the construction works.

c. 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.

d.Detail of any flood lighting, including location, height, type and direction.

e.The parking of site operatives and visitors

f. Loading and unloading of plant and materials

g.Storage of plant and materials used in construction and development

h.Wheel washing facilities

i. Measures to control the emission of dust and dirt during construction

Reason: In the interests of amenity in accordance with policies GEN7 and GEN32 of the Arun District Local Plan. It is considered that this condition must be pre-commencement to avoid adverse harm to the residential amenity of neighbouring uses and properties during construction and demolition.

11 No machinery vehicles or plant shall be operated on; no process shall be carried out and no deliveries taken at or despatched from the site except between the hours of 7:00 and 18:00 on Mondays to Fridays inclusive; 7:00 and 13:00hours on Saturdays and not at any time at all on Sundays or Bank Holidays.

Reason: In the interests of amenity in accordance with policies GEN7 and GEN32 of the Arun District Local Plan.

12 Before the development commences the applicant shall submit an Acoustic Report to demonstrate the predicted noise levels at and within the proposed noise sensitive residential units as may be caused by any road, railway, or other source of noise within the locale. As necessary, a scheme shall then be provided 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 BS 8233: 2014, Guidance on Sound Insulation and Noise Reduction for Buildings, which shall be submitted to and approved in writing by the Local Planning Authority. The scheme should take into account the correct number of air changes required for noise affected rooms. Please note that this authority will be unlikely to accept any other than mechanically treated forced air ventilation in the case that high levels of noise exposure are indicated in habitable rooms. The work specified in the approved scheme shall be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

Reason: In the interests of amenity of future occupiers in accordance with policy GEN7 of the Arun District Local Plan and the National Planning Policy Framework. It is considered that this condition must be pre-commencement to ensure that the development is constructed to avoid unacceptable harm to the residential amenity of future occupiers.

13 Prior to the commencement of the development, a scheme shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the noise levels within the external amenity area of the proposed residential units, as applicable, will conform to the "design criteria for external noise" upper guideline value of 55 dB LAeq,T, as specified within BS 8233: 2014, Guidance on Sound Insulation and Noise Reduction for Buildings. The work 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: In the interests of amenity of future occupiers in accordance with policy GEN7 of the Arun District Local Plan and the National Planning Policy Framework.

14 Before first occupation of any dwelling where unacceptably high levels of noise are likely to be experienced, then post validation testing shall be undertaken by a competent person to determine compliance with the acoustic report and BS8233. This must be submitted and agreed in writing with the Local Planning Authority before first occupation.

Reason: In the interests of amenity of future occupiers in accordance with policy GEN7 of

the Arun District Local Plan and the National Planning Policy Framework.

15 External Lighting in association with the development shall comply with Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light Limitations for Exterior Lighting Installations for Zone E2.

Reason: In the interests of amenity in accordance with policy GEN7 and GEN33 of the Arun District Local Plan.

16 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.

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

1. Finished floor levels are set no lower than 3.05m 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.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

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

19 INFORMATIVE: As the site is situated within the River Arun Internal Drainage Board Catchment (for whom the Environment Agency act as agents) then an application for consent will need to be submitted to the Environment Agency, under Section 23 of the Land Drainage Act 1991 should any further investigations at the site reveal a piped ditch.

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.