

REPORT UPDATE

Application No: M/80/19/PL

Reason for the Update / Changes

Reason for Update:

ADDITIONAL REPRESENTATIONS (received since writing of the officer report):

60 additional objections including from ADC Members. Relevant new points raised that are not already covered in the officers report:

- Solar panels should be incorporated.
- All ditches around site are at full capacity and area is flooded. Adjacent road is impassable.
- the footprint of the care home building will be 3.5 x times bigger than the Dukes Motors Spray Bay. Both structures have a similar ridge height.
- Parking assumptions are incorrect.
- Decision should be deferred indefinitely to await satisfactory response to complaints and responses regarding the footpath and WSCC request to the Freedom of Information Act.
- Submitted parking survey incorrectly assumes cars will be reduced in number during weekdays when neighbours are at work.
- Access should be from A259.
- Non compliance with Local Plan policies is a material consideration and will provide an effective defence if the matter should it go to appeal. An Inspector is very unlikely to award costs for a defence based on these policies.
- There is a 60% increase in beds per hectare and not as stated in the officer report.
- A number of Local Plan policies are not complied with.
- West Sussex County Council says we should be preserving Ash trees which are endangered, yet the tree officer has allowed for the possibility that the developers may destroy it.
- Light pollution is not complied with. Police have suggested dusk to dawn high level lighting which will adversely impact on neighbouring uses and the wider landscape and wildlife.
- There is no financial contribution to already overstretched local health facilities. The only Section 106 money is for Bognor Library which will not be affected at all.
- The Arun Chase roundabout is very close where traffic will increase 16% (145 vehicles per day) and thereby provide a 16% increase in the risk factor there.
- It will increase the danger for traffic exiting Silver Birch Drive onto this roundabout.
- There is/will be a shortage of care home and dementia care beds, and therefore this application will not be fulfilling a significant demand.
- Local research has also revealed that a major challenge for these homes is the failure to recruit staff.

16 additional representations of support not raising any new points.

FURTHER COMMENT FROM AGENT

- The scheme is considered to be fully policy compliant.
- The comments attach limited weight to the extant housing scheme on this site, which was previously approved by Members. This is very clearly a material consideration.
- It is accepted that the care home results in an uplift in footprint and floorspace. However, it is important to note that a care home proposal cannot be compared in a like for like manner with a housing scheme (particularly in respect of matters relating to density).
- The maximum ridge heights of the respective buildings are comparable (9.3 metres and 10 metres). This represents an 8% uplift, not the 23% as has been suggested.

- In respect of traffic generation, the extant permission was approved on the basis of generating 91 vehicle movements over a 24 hour period. The care home is calculated to generate 145 daily vehicle movements. These movements are spread across the whole day.
- When compared with the extant permission, the care home proposal will result in a 5% uplift in daily movements on Silver Birch Drive. This modest increase in traffic does not necessarily equate to an increase in congestion.
- Despite the comments made, the site is accessible by bus. The nearest bus stop is located approximately 500-600 metres from the site by footway and is within a 5-10 minute walk.
- The 600 service has a frequency of 1 bus every 30 minutes in either direction and the service covers all staff shift changeovers.

Officer Comment

The bus that runs to Flansham is the 700. The nearest bus stop at the Flansham Medical Centre is approx. 1km from the site and would be a 15-20 minute walk.

A PRE-COMMITTEE SITE VISIT HAS BEEN UNDERTAKEN BY MEMBERS.

RECENT APPEAL DECISION:

Members are advised of a relevant recent appeal decision on Land to the Rear of Bairds Farm Shop, less than 2.5 miles from this site for a 64-bed Specialist Dementia Care Home.(CM/16/19/PL) which was allowed by an Inspector. In the Decision the Inspector agrees that there is substantial demand in the District for this type of accommodation. He attached significant weight to these needs in the planning balance.

NEED FOR EXTRA CARE DEVELOPMENT

During the preparation of the Local Plan the Council commissioned a housing needs study, which included specific needs for specialist accommodation for older persons. This was dated September 2016.

It forecast that the population of Arun residents over 75 years of age will increase by 66% by 2031 with a resultant need for a further 2,250 units of specialist housing required and 991 residential care bed spaces in this period. Whilst this is clearly a forecast and not an exact prediction, it demonstrates that, with an aging population in Arun, the need for additional specialist accommodation and care bed spaces is substantial over the forthcoming years.

FURTHER ECOLOGY RESPONSE:

The Ecology Officer has confirmed that they are satisfied that suggested condition 8 adequately addresses lighting issues in relation to bats. A separate condition is not necessary.

CHANGES TO CONCLUSIONS SECTION OF THE RECOMMENDATION WITH REGARD TO THE SECTION 106 AGREEMENT.

It should be noted that the S106 is required to be completed by 31 March because the Community Infrastructure Levy will be adopted on 1 April.

AMENDMENT TO PLANS CONDITION:

Condition 2 has been amended to refer to the later Access Plan Rev B not Rev A

AMENDMENT TO PRE-COMMENCEMENT CONDITIONS:

The wording of pre commencement conditions 3, 10, 16 and 18 and the reasons for their imposition have been amended to provide better clarification. An updated recommendation sheet is attached .

FURTHER COMMENTS FROM COUNTY HIGHWAYS (regarding access width):

The width of 5.5m access road tapering down to 4.8m shared surface at the site access as shown on the drawing proposed access arrangements 04 Rev B is acceptable. The widths are the same as the permitted access arrangements.

Vehicle tracking has been provided within the Traffic Assessment for a refuse vehicle, delivery vehicle and ambulance again all of which are acceptable. A stage 1 Road Safety Audit has also been undertaken which did not raise any issues with the width.

RELEVANT TREE PRESERVATION ORDER

Members are advised that a group TPO exists on trees adjacent to the site. TPO/M/1/96 confirms statutory protection applies to the group of trees (G4 - 3x field maple, 1x hawthorn) along the rear of 12 Silver Birch Drive.

The Tree Officer has advised that while they are within the proposed development boundary, any impact over the rooting zone and crown facilitation pruning should be negligible if any at all. The group does remain vulnerable to any future routing of utility apparatus, so concern in that respect is reinforced - until such time as we have sight of detailed plans that demonstrate adequate regard.

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:	M/80/19/PL
LOCATION:	Former Poultry Farm Land West of Yapton Road Middleton on Sea PO22 6DY
PROPOSAL:	Demolition of the existing structures & redevelopment to provide a new 66-bedroom care home (Use Class C2) arranged over two storeys together with associated access, car and cycle parking, structural landscaping and amenity space provision

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposal is for a 2 storey 'L' shaped 66-bedroom care home which will provide 24-hour support and care for the frail elderly, meeting residential, nursing and dementia care needs, including end of life and palliative services. The agents have advised that the average age of residents will be approximately 85 to 90 years. Residents will move into the care home at the point at which their care needs have escalated and when they or their family/carers are unable to address these needs within their own home.

The scheme incorporates the following facilities and features:

- All bedrooms to be equipped with en-suite bathrooms

designed for safety and accessibility.

- Communal and amenity spaces incorporating cafe/bar/lounge, hairdressers, cinema room, activity rooms, lounges, dining spaces and quiet rooms.
- On-site kitchen and laundry.
- Staff facilities including lounge, training area and changing rooms.
- Landscaped amenity areas and gardens.
- Car and cycle parking as well as dedicated spaces for deliveries and ambulance.

The maximum ridge height of the proposed development is 9.6m and the lower flat roofed 2 storey section of the development has a height of 6m.

SITE AREA	0.62 hectares
RESIDENTIAL DEVELOPMENT DENSITY	106 bedrooms per hectare
TOPOGRAPHY	Predominantly flat.
TREES	Protected trees are on site and some are affected by the development.
BOUNDARY TREATMENT	Hedging/fencing between 1 and 3m high along road frontage. To fields temporary wire fencing.
SITE CHARACTERISTICS	2 storey brick dwelling and single storey outbuildings. A public footpath runs along the south boundary. The premises previously operated as a poultry farm, but this use ceased and the property is vacant.
CHARACTER OF LOCALITY	Predominantly rural on edge of residential. Fields to north. Housing estate to south.

RELEVANT SITE HISTORY

M/45/16/PL	Demolition of redundant poultry farm buildings & dwelling & erection of 13 No. dwellings with associated access, car parking & landscaping. This application is a departure from the development plan	ApproveConditionally 07-02-17
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M/45/16/PL was granted in February 2017 for the demolition of the redundant poultry farm buildings and dwelling and the erection of 13 dwellings with associated access, car parking and landscaping.

The scheme includes a mix of 2, 3 and 4-bed detached, semi-detached and terraced properties, each two storeys in height. The approved built form is orientated such that it would be positioned adjacent to eastern and northern site boundaries with an area of amenity space provided in the southern part of the site (allowing for the retention of the protected trees). A new vehicular access was to be formed from the existing road spur off Silver Birch Drive to the south.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Middleton Parish Council

Objection

- Inadequate infrastructure provision to serve the development.
- Lack of protection, conservation and enhancement of the natural and built environment.
- The proposed development is overbearing.
- With 66 bedrooms on a small site the development looks cramped.
- The proposed development is unneighbourly.
- The site will be viewed by all properties along Yapton Road.
- The overall mass, height and scale is out of keeping with surrounding properties.
- The application states it is two storey but with windows in the roof it could be seen as three storeys.
- Out of character with the street scene.

19 Support (including 14 standard support)

- More care facilities are needed in the area.
- Better scheme than approved houses.

151 objectors raising the following material planning objections:

- The access to the site is narrow and runs across a popular footpath.
- Trees surrounding the proposed site will be negatively affected by the development.
- Local Surgeries and Dentists which are reaching their capacity, would be negatively affected by the increase of patients.
- The area around the site is prone to flooding and this development will increase the risk.
- Increase of vehicles in the area, including vans, lorries, ambulances and construction vehicles which will adversely affect residential amenity and would be 24/7.
- Overdevelopment compared to the surrounding 'quiet' residential area.
- Increased noise pollution for residents who live close to the development as well as light pollution.
- 29 parking spaces is not adequate number for the staff of the care home and the visitors. At staff handover periods a total of 40 to 50 personnel will be at the site along with their 20 to 25 cars.
- Concern over safety of residents of care home and the residents of the area around the care home.
- Concern regarding damage to and possible death to two Ash trees and a Maple tree.
- The area/environment around the development will be negatively affected with a loss of greenery.
- Concern that the building would be out of keeping/character with the surrounding properties.
- Frontier Estate has not submitted a planning application for doing works on the TPO trees.
- Is this care home in the right provision for dementia patients?
- Site access is not sustainable.
- Too many rooms to provide effective care.
- Could be problems with sewage and drainage.
- Unsuitable access for such a commercial development.
- The total building and hardstand area for the care home is 57% of the total site area and not 45.3% as stated on the plans submitted by the agent.
- The comparative increase in ground coverage will be significant and not "moderate" as claimed by the agents.
- The buildings' footprints will change from 940m² as approved to 1737m², which equates to an increase of at least 85%.
- The volume of the 13 houses currently allowed will be approximately 5,640m³, whilst the proposed care home will be 10,830 m³, an increase of 92%. This is not a "moderate" increase.
- Justifying the excessive height of the proposed care home by making comparisons with the commercial buildings to the east (Duke's Motors) is neither reasonable nor right.

COMMENTS ON REPRESENTATIONS RECEIVED:

- County Highways have raised no objection regarding highway safety. This proposal will not result in a significantly worse or severe highway environment.
- With regard to ecology issues the required Phase 1 survey of the site has been undertaken and no evidence of protected species has been found. The suitability of the site for great crested newts has been considered but as there are no ponds located on or near the site it is unlikely that any would be present on the terrestrial landscape.
- Layout will preserve protected trees and acceptable landscaping and sufficient planting will be provided.
- Sale of the footpath is a private matter.
- Works to trees have been investigated by the Tree Officer and the Compliance Officer and it was found that no obvious harm had been inflicted on any protected tree and that only ground vegetation clearance/light pruning to abate nuisance was carried out.
- The floorspace and hardstanding percentages referred to in the representations are not contested by the applicants agent. The figures originally supplied were based only on the main building footprint and parking/access areas and have not been challenged.

Other points raised are addressed in the conclusions section of this report.

CONSULTATIONS

Arboriculturist
Engineering Services Manager
Engineers (Drainage)
Southern Water Planning
Parks and Landscapes
WSCC Strategic Planning
Ecology Advisor
NHS Coastal West Sussex CCG
Sussex Police-Community Safety
Natural England
Surface Water Drainage Team
Economic Regeneration
Ecology Advisor
WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

County Highways - No Objection

- The site currently benefits from an extant permission ref (M/45/16/PL) for 13 residential dwellings.
- The applicant has provided a stage 1 road safety audit and amended access design. The audit highlighted 5 issues to which the designer accepts all 5 recommendations. The access should be secured by condition prior to the commencement of the development.
- It has been established that the site is anticipated to generate 14 two way trips in the AM peak and 13 two way trips in the PM peak. Daily trip generation is anticipated to be 145 two way vehicle trips. The level of trip generation would result in a net AM peak increase of 2 two way trips and 4 PM peak two

way trips over the consented scheme. The levels of traffic would not result in a severe impact on the local highway network.

- The applicant proposes to provide 29 car parking spaces, 2 of which would be disabled bays and 6 with active electrical vehicle charging, and the remaining would have the potential to be up be upgraded. 3 spaces would be provided for motorcycles and 6 cycle parking spaces. No concerns on the level of parking proposed.

- A swept path analysis has been provided and shows a refuse vehicle can access and egress the site in a forward gear and all parking spaces are accessible for a car.

Sussex Police - No Objection.

Southern Water - No Objection. Informative requested

Natural England - No Comment.

Drainage Engineer - No Objection. Pre commencement conditions requested.

County Flood Authority - No Objection.

Ecology Officer- No Objection.

- Following submission of the Ecological Impact Assessment (Sept 2019), the bat and reptile mitigation proposed would be suitable and should be conditioned.

- The lighting scheme for the site will need to take into consideration the presence of bats and the scheme should minimise impacts to bats by avoiding unnecessary artificial light spill. Request 6 integrated bat boxes are built into the fabric of the property facing south/south westerly positioned 3-5m above ground.

- Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season. Request 4 bird boxes are installed on the new building and / or trees within the site.

- A number of enhancements to be incorporated within the scheme are requested.

Tree Officer - No Objection. Conditions requested.

- It is noted that the developer is keen to retain T4 and so the proposal is for a suite of tree protection measures about the site access to promote healthy, long-term retention of the same. This intention is supported which is understandable.

- The later Landscape Plan indicates a more ambitious and sensitive use of tree species, which complement the wider landscape and should add long-term value to the site and its environs.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Conditions are imposed. An amended tree planting scheme and landscaping/ecology enhancements have been submitted.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary

Class B road

Tree Preservation Order

Public Right of Way Adjacent to Site

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

ECCSP2	ECC SP2 Energy and climate change mitigation
DSP1	D SP1 Design
HDM2	H DM2 Independent living and care homes
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
INFSP1	INF SP1 Infrastructure provision and implementation
SDSP2	SD SP2 Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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.

Middleton does not have an adopted neighbourhood plan.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal is considered to comply with relevant Development Plan policies in that there is a significant demand for this type of development in the District and there would not be an unacceptable impact on the character of the area, protected trees, highway safety, visual amenities of the locality or residential amenities of adjoining properties.

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 is within the Built-up Area Boundary. The area to the north and west is rural in character with open fields. For reasons expanded on below the development would be in keeping with its immediate surroundings and would not conflict with the aim of Local Plan policy D DM1 to protect and enhance the quality of the environment and protect neighbouring residential amenities. It is outside of the Littlehampton to Middleton-on-Sea Gap between settlements which borders the east side of Yapton Road. It is outside the boundary of the existing Open Space area to the north and west identified in the Local Plan. The site is physically connected to the built up area to the south.

IMPACT ON CHARACTER AND VISUAL AMENITY

Policy D SP1 of the Arun Local Plan states that development should seek to make efficient use of land but reflect the characteristics of the site and local area, in matters such as layout, density, scale, mix, character, landscaping, materials, finish and architectural details. It also states that proposals should adhere to objectives informing sustainable design e.g. attractiveness, inclusivity, security and climate change. 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.

Although the site is currently rural in appearance it is now located within the built up area boundary. The development would not be visually isolated and would represent an acceptable expansion of existing built form. It is acknowledged that there are no buildings in the locality with a similar footprint, height and bulk. Whilst the bulk and extent of the building in terms of its length and width across the plot results in a significant and prominent form of development this would not be sufficient to warrant refusal of the application given the extant permission and the context of the site adjacent to residential and commercial built form. The care home would be located adjacent to a residential estate of 2 storey dwellings on the opposite side of the public footpath to the south and opposite industrial units (Middleton Business Park) located on the east side of Yapton Road. This comprises a number of businesses set within a single storey terraced row and a separate two storey detached building used for vehicle repairs. 2 storey residential properties are located immediately to the north-east of the Business Park, extending beyond the northern boundary of the application site.

The scheme has been designed as an attempt to reflect a domestic built form of terraced 2 storey dwellings which would be in context with the backdrop of existing residential properties to the south, albeit that these are detached and of lower height. The National Design Guide (para 40) defines well-designed new development as development which responds positively to the features of the site itself and the surrounding context. The houses adjacent to the site are 2 storeys with pitched roofs and the care home maintains the character and scale of the area which includes the commercial units to the east. The submitted street scene indicating the perspective from the adjacent 2 storey dwellings in Silver Birch Drive indicates that the care home will not be significantly higher (approximately 1.8m). The ridge height of these dwellings is approximately 7.8m compared with the maximum ridge heights proposed of 9.6m. In terms of its relationship with the industrial unit to the east, the height of the proposed unit would accord with the height of the internal buildings within the industrial estate. It would not therefore dominate the surrounding development in terms of its height.

Development along both boundaries is restricted to two storeys in height together with the use of a pitched roof. The articulation of the elevations, together with the treatment of the roof form and the use of

a varied palette of high-quality materials, has attempted to break up elevations/mass so that they might appear as a series of distinct elements, but it is acknowledged that it will still be a large single building.

The comparative street scenes submitted as part of the application demonstrate that the difference in height of the scheme is approx. 1.8m greater than the dwellings in Silver Birch Drive which is not a significant difference when viewed from a distance, particularly since there is a 22m gap between the dwellings and the development. The Section Plans indicate that the overall height of the proposed care home development along the North Elevation is not significantly greater than the approved dwelling height. Along the East elevation whilst eaves heights are similar, the difference in ridge height is 2 - 2.6m greater which will increase the prominence of the building. However the increase is not considered to result in harm to character or visual amenity sufficient to warrant refusal on these grounds.

Drawings 023.1 and 023.2 provide site sections showing the proposed building form and ridge heights relative to both the extant scheme and to the surrounding residential and commercial buildings. The proposal does not increase ridge heights when compared to the extant scheme. The heights on the Yapton Road (north to south) elevation are now consistent with those on the east to west elevation, and the opportunity has been taken to increase the separation to the nearest houses and to grade the heights so that they step up into the site.

The building has been designed to be 2 storeys with pitched roofs and has a domestic appearance. The form provides relief and interest to the elevations by incorporating a staggered roof line, creating gaps within the roof form, providing set-backs and gable projections and variety in the palette of materials which reflect the surrounding area. These include a stock brick and elements of render, art stone detailing and tiled and slated roofs. The design elements help to reinforce local distinctiveness and attempts to produce a building which appears as a series of inter-linking elements. Views into the site from Yapton Road would include communal gardens and soft landscaped boundary treatment. Screening along the northern edge of the public footpath has been amended since the application was originally submitted and is now a 2m high hoop top fence. Landscaping has been bolstered adjacent to the field boundary and incorporates a native hedge which soften the appearance of fencing and this will be in keeping with this rural setting.

The site is generally well screened. The eastern boundary comprises tall trees and hedging and the southern and western boundaries are edged with trees and hedgerows. The northern boundary is well screened from within the surrounding landscape owing to the publically edged and visually more prominent southern and eastern boundaries. The south-eastern corner of the site has a lack of screening when viewed from Yapton Road. This affords clear views of the existing dwelling and wooden outbuilding. The proposed landscaping plan would increase and bolster landscaping and planting in this area and views into the site.

The National Design Guide at para 49 states that well-designed, sustainable places with a strong identity give their users, occupiers and owners a sense of pride, helping to create and sustain communities and neighbourhoods. "The identity or character of a place comes from the way that buildings, streets and spaces, landscape and infrastructure combine together and how people experience them. It is not just about the buildings or how a place looks, but how it engages with all of the senses. Local character makes places distinctive. Well-designed, sustainable places with a strong identity give their users, occupiers and owners a sense of pride, helping to create and sustain communities and neighbourhoods."

The proposal would accord with this guidance in that it has a domestic scale and creates a positive addition to built form in the area and has a clear identity. Para 50 of the Design Guide defines well-designed places, buildings and spaces "as those which have a positive and coherent identity that everyone can identify with, including residents and local communities, so contributing towards health and well-being, inclusion and cohesion" and "those which are visually attractive, to delight their occupants

and other users". The proposed building would have an identity that would be easily recognisable to residents and the local community and in this respect would contribute towards health and well-being. Nearly every ground floor unit has its own external patio area and the communal gardens would be well landscaped and provide an outside area for visitors and relatives to enjoy.

The care home has a footprint similar in shape to that of the approved housing layout, but the depth of the development is increased internally by 6 - 12 m. It is "L" shaped with one section parallel to the northern boundary and the other parallel to Yapton Road which facilitates provision of parking and garden areas within a central space. The northern wing separates the central activity space and garden from a more secure and quiet garden to the north. A minimum of 10m separation is provided between the north boundary and the building providing visual space around the building and reducing its prominence when viewed from outside the site. The distance to the east boundary varies between 4m and 10m. Given the staggered nature of the elevation this provides an acceptable gap to surrounding development and meets the generally adopted guidelines for space between dwellings.

Comparison drawings have been submitted as part of the proposal which indicate the differences in site coverage between the extant and proposed schemes. When including both built form and hardstanding the site coverage will increase and the scheme is no closer to the neighbouring houses. The current proposal incorporates a slight increase in the distance to the southern site boundary and also removes any built form within the western part of the site. The current proposal represents an 85% increase in terms of the building footprint. It was 940sqm as previously approved and is now proposed to be 1,737 sqm.

The approved residential scheme had a density of 75 bedrooms per hectare (compared to 106 per hectare proposed). However, this increased density is understandable as by the very nature that it is a single use building it will be higher than that approved and adjacent residential development.

The increased footprint and increase in density is not overdevelopment given the landscaped space and buffer zone that is retained around the site and the ratio of built form to open space which does not adversely impact on the character of the area. The building will not appear cramped in relation to its site boundaries and will retain adequate space to adjoining development so that it does not appear overbearing or out of context with its neighbours.

The layout of the scheme is informed by the broadly linear development seen in Silver Birch Drive to the south and Yapton Road to the east. It responds positively to its context and surroundings and accords with the local identity of the area and existing built form characteristics. The density of the proposed development is consistent with the residential area to the south. It does not constitute over-development of the site. The depth of the development has increased when compared with the approved layout of residential dwellings, but the scheme still provides adequate landscaping/communal garden areas for residents and visitors and allows for adequate protection of existing trees.

The design seeks to respect the site context, the parameters established through the extant planning permission and Local Plan policies D SP1 and D DM1 which relate to building form and character. These policies seek to ensure the height and massing of new development respects overall streetscape and does not detract from the character of the area. The scheme retains vegetation and supplements this with new planting to help reduce the scale of the care home. This ensures views of the building will read as a series of stepped and varied elevations softened by boundary hedging and enhanced planting.

It is considered the proposal is acceptable in terms of impact on visual amenity/character of the area in accordance with policies D DM1 and DSP1 of Arun Local Plan.

RESIDENTIAL AMENITY

The northern wing of the care home is located a significant distance from the nearest residential properties (more than 40m from rear residential curtilages) and is located behind existing tree/shrub planting that is to be retained or bolstered. The properties facing Silver Birch Drive are situated along the northern boundary of the site and are over 50m away which is an acceptable separation distance to prevent any harmful overlooking, overshadowing or loss of privacy. The eastern section of the building adjacent to Yapton Road has a gable end which has a ridge height of 8m and would be located 10m from the rear boundary of 4 Silver Birch Drive. No windows are proposed in the elevation and is in any event separated by existing mature landscaping. A minimum of 20m separation is provided between the care home southern gable and the closest neighbouring houses. There would therefore be no materially adverse effects resulting to the residential amenities of adjoining neighbouring properties.

There are no immediate residential properties to the west, north or east of the site. Residential dwellings to the north-east are located on the opposite side of Yapton Road at least 50 metres away. The introduction of new and replacement planting shown in the accompanying Landscape Plan will soften the development and improve the relationship to neighbouring properties.

Outside amenity space for residents is provided as gardens to the north and east of the home which are well screened from traffic activity. Residents will access gardens from the cafe or dayrooms, not via the main entrance. Garden pathways offer easy access to patios, gazebo and seating places for residents and their family/visitors to enjoy. Many of the residents would be housebound and the outside space would be mainly used by some residents and family members/visitors.

Having regard to potential for noise and disturbance, the car parking area is set back a minimum of 10m from the shared site boundary (and over 20 metres from the nearest house) and the intervening space is well-screened. The proposal therefore accords with policy D DM1(3) of Arun Local Plan.

COMPLIANCE WITH POLICY H DM2 OF ARUN LOCAL PLAN

The applicant has submitted evidence which demonstrates the need for this type of accommodation both nationally and within the Arun District Council area. The proposal would provide a new scheme for 66 bedrooms helping to address the demand for such accommodation in the locality. Policy HDM2 states that new care homes will be permitted where applications can demonstrate compliance with certain criteria and other policies in the Local Plan. The supporting text at para 12.6 of policy H DM2 of the Local Plan acknowledges Arun has one of the highest older populations and highest life expectancies in the County and suggests that the provision of new care homes should be located close to community and social facilities. Policy H DM2 requires new facilities to be located within the built up area boundary and to be easily accessible by foot or public transport as is the case with this site.

The site is physically and visually connected to the existing built up area to the south, it is in walking distance of the shops at Middleton and there are good bus and cycle links to surrounding areas. The site is reasonably accessible to both existing and planned communities in and around Middleton and Felpham. The site connects to local facilities for pedestrians by the existing footpath network accessed from Silver Birch Drive, where access to a range of facilities and services is available including the no. 600 bus service and National Cycle Route 2. These factors are of limited relevance to care home residents given their high levels of dependency, but are important in promoting the sustainability of the site for access by staff and visitors.

Through the detailed design of the accommodation and the provision of care and support, the proposal will allow frail elderly residents, often with dementia, to remain as independent and active as possible.

At a national level, the population aged 85 and over is projected to double from 1.7 million in 2018 to 3.4

million in 2030. In reflecting this demographic change, the NPPF requires Local Authorities to reflect the housing needs of older people in planning policies which includes the provision of care home accommodation. The most recent revisions to PPG are more explicit in stating that "the need to provide housing and housing choice for older people is critical as people are living longer lives and the proportion of older people in the population is increasing." At a County level, the West Sussex Joint Strategic Needs Assessment (JSNA) (2015) refers to a 16% increase in the population of the 85+ age group over the next 5 years.

Arun District Council's Strategic Housing Market Assessment (2012) indicates that care home population will increase by "around 1,470 persons between 2012 and 2030".

In substantiating the SHMA position, the applicant's assessment of demand and supply points to an existing and future shortage of the kind of provision required by local residents. This assessment considers the level of demand for market standard bed spaces within the local catchment area for the site (which is considered at both a 1 mile and a 3-mile travel distance). When accounting for all existing provision (nearly all of which is within older-stock), the current shortfall within a 1 mile radius of the site is 110 bedspaces, indicating that at least 2 care homes of the scale proposed on the subject site would be needed to keep pace with current demand. This level of need is reflected in the wider 3-mile target area within which the majority of prospective residents are likely to live to present. The limited care home supply that is available in the 1-mile and 3-mile catchments includes a prevalence of smaller converted homes and an absence of modern, purpose-built care facilities.

The proposal delivers 66 bedrooms to the local housing stock (minus the loss of the dwelling on the site). This housing contribution is highly significant in the context of the Council's latest Five-Year Housing Supply Report (dated February 2019) which shows that the Council is currently falling below its 5-year housing supply target, with a current supply of 4.7 years. The proposal will support housing numbers at a time that the Council does not have a five-year housing supply on a site that has good connectivity to services and sustainable transport. A further benefit of the proposal is that it has the potential to free up other sectors of the housing market by releasing much-needed family housing. Residents moving into care homes often 'downsize' from larger dwellings and the proposal delivers a knock-on benefit across the housing chain. This will help to reduce pressure on other sites in the area.

The National Design Guide (para 112) states that successful communities require a range of local services and facilities including workplaces, healthcare and commercial uses which represent the needs and aspirations of the existing and future local community, including all ages and abilities and (para 115) advises that well-designed neighbourhoods provide a variety and choice of home to suit all needs and ages. This includes older people. The proposal would accord with this guidance.

The acknowledged need for this type of accommodation in Arun requires this to be carefully balanced against the approved development which is preferred by many neighbours. Whilst the footprint proposed is larger and a greater proportion of the site area would be built upon any harm to visual amenity and the character of the area would be countered by the demand for this type of development now and in the future.

EMPLOYMENT CONSIDERATIONS

The care home has the potential to generate significant employment opportunities, including jobs for local people. It is anticipated that the care home will create jobs for approximately 50 to 55 staff (full-time equivalent) and between 60 and 70 jobs overall (including part-time and full-time positions).

The new facilities will create knock-on employment opportunities, for example, during construction and through associated facilities and services to support the on-going care home operation. This is a

significant benefit of the proposals when considering the three principles of Sustainable Development.

AFFORDABLE HOUSING

Nursing homes and homes where care is provided fall in Class C2 and on this basis affordable housing contributions are no longer being sought.

HIGHWAY ISSUES

The application is accompanied by a Transport Statement, Travel, Plan and Stage 1 Road Safety Audit and the site is sustainably located with good connections to local bus services.

WSCC Highways have raised no objection. The siting of the access route from Silver Birch Drive will be replicated as per the approved scheme and a sensitive construction methodology is proposed in the vicinity of protected trees. The access is fully compliant with visibility splays. The width of the road will be 5.5m allowing for two vehicles to pass. The proposal incorporates safe pedestrian access with footpaths extending into the site with appropriate signage proposed at the crossing with the public footpath.

A total of 29 car parking spaces are provided which includes 2 disabled spaces. 6 with active electrical vehicle charging, and the remaining would have the potential to be up be upgraded. 3 spaces would be provided for motorcycles and 6 cycle parking spaces. A swept path analysis has been provided and shows a refuse vehicle can access and egress the site in a forward gear and all parking spaces are accessible for a car. Parking is located to the front of the building and within the area of the site to the west and County Highways are satisfied with the level of car parking provided.

There are no resident staff. It is estimated that 20-25 staff on site at any one time (given that staff will be working varying shifts), less than half of the parking provision would therefore be required for staff, with the remainder being for visitors. The applicants do not envisage the need for more than 10 visitor spaces and the level of provision includes an element of spare capacity for times of peak demand. Car parking spaces have increased to reflect comments raised at the public consultation relating to pressures for parking off site.

The level of provision accords with Arun's parking standards which require 1 resident space per 20 bedrooms, 1 space per 8 bedrooms for visitors and 1 space per 5 bedrooms for staff. For a 66-bed home, with a maximum of 25 staff on site, this equates to a total of 25 spaces. At 29 spaces, the scheme includes a surplus of 4 spaces. The car parking numbers are consistent with those accepted on other recent care home schemes in the area, including a scheme in Angmering where a 70-bed care home included 27 spaces. The staff operate in three shift patterns, which are generally between 08.00 and 14.00, 14.00 and 20.00 and 20.00 and 08.00. The timing of shift changes is also staggered. The applicant envisages that a maximum of approximately 20 staff would be on site at any one time although the analysis has been based on 25 staff to ensure that the approach is robust. The figure of 55 staff is the total job creation when accounting for all staff working over all three shifts.

The site is sustainably located with easy access to the 700 bus route which runs every 25 minutes throughout the day. The proposal is therefore considered compliant with policy TSP1 of Arun Local Plan.

TREE PROTECTION AND LANDSCAPING

A public access right of way (ref: PROW 160) runs east to west along the south edge of the site. This opens off Yapton Road and continues to open land to the west. Parallel to the footpath, on its northern edge, is an existing watercourse ditch. This path and ditch visually separate the developable site from rear gardens of neighbouring houses to the south. The area contains mature tree and undergrowth,

including 3 protected trees close to the proposed access. There is a line of mature trees adjacent to the rear gardens of neighbouring houses to the south and this acts as screening between the houses and the site. The design proposal will retain these features, subject to good practice maintenance, and being within the ownership of the site they will be subject to enhancement and on-going management.

The application is supported by an Arboricultural Method Statement and an Arboricultural Impact Assessment. Although the care home does not fall in the root protection area of the protected trees, the access will incur into them. It is proposed the access road and footways in this location be constructed using a Cellweb tree root protection construction. The tree survey and arboricultural protection plan demonstrate that the demolition and construction elements of the scheme allow for the long-term retention of protected trees and ensures they remain a prominent feature within the site.

Elsewhere in the site, the development will be located outside the root protection areas of the retained trees and, subject to adherence to the measures set out in the accompanying arboricultural method statement and protection plan, these trees will not be adversely affected by the construction works. The scheme proposes four additional tree removals to the previously consented scheme. This comprises two Category U trees and two Category C trees, each of which is considered to be of low quality and limited amenity value. One tree previously proposed for removal can also now be retained.

The majority of the well-established tree screening along the eastern boundary fronting Yapton Road (its most public frontage) is being retained through the layout of the proposal. There is a group Tree Preservation Order extending from Silver Birch Drive southwards (reference TPO/M/1/96), but this will not be affected by the proposed development as it lies outside of the site boundaries.

The north and west boundaries will be a combination of close-boarded timber fencing and native species hedging to create a secure border but with a soft appearance from inside and out. The east boundary to Yapton Road benefits from a combination of hedging and banking. This native species feature will be retained and enhanced with additional planting. As part of the negotiation process additional landscaping has been provided to the scheme and the northern edge of the public footpath has altered to 2m high hoop top fencing which will softened by shrub planting adjacent to the existing ditch. The southern edge of the footpath would be retained as open grass verge with existing trees.

ECOLOGY ISSUES

The application includes a Preliminary Ecological Appraisal, Internal and External Bat Survey and a Barn Owl Survey. A Reptile Mitigation Strategy has also been submitted. Subject to satisfactory enhancement which is to be controlled by condition, there would be no unacceptable adverse impact on protected species. These enhancement measures are proposed to increase the site's biodiversity value in accordance with Local Plan Policy ENV DM5.

FLOOD RISK AND DRAINAGE

A Flood Risk Assessment and Surface Water Drainage Strategy have been provided as part of the planning application. This confirms that all areas of the site proposed for built development lie within Flood Zone 1 and that there is no known history of flooding from fluvial or tidal sources. With regards to surface water, the proposal is to incorporate a Sustainable Urban Drainage System (SuDS) solution that uses attenuation for the surface water that falls on the site, together with permeable surfaces for the car parking. The drainage strategy includes the following measures:

- The roof areas to be suitably drained with sufficient opportunity for infiltration to the ground, where possible, to the proposed underground crate.
- Permeable surfaces throughout the development, including pavements and car parking areas.

- A restricted water discharge point to the existing drainage ditch to the south of the site, which will be enhanced to ensure there is suitable overflow capacity from the site.
- A lowered kerb to the parking area to ensure that excess surface water is routed away from the building, and safely into the drainage ditch.

SUSTAINABLE CONSTRUCTION

Tackling climate change is a key government priority for the planning system. Proposals for development should demonstrate how they will contribute to the Government's ambition of a low carbon economy and how well adapted they are for expected effects of climatic change. In accordance with policy ECC SP2 of the Local Plan it is recommended that a condition is imposed requiring that prior to damp-course level a scheme with details of proposed energy efficiency measures and sustainable construction methods is submitted to and approved by the LPA to meet the National and Local Plan requirements.

CONCLUSION

The proposal therefore accords with relevant development plan policies H DM2, D SP1, D DM1 & T SP1 of the Arun Local Plan. The application is recommended for approval subject to the following conditions. A s.106 legal agreement is being drawn up.

If after three months of the date of the resolution the s106 has not been completed and signed delegated authority should be given to the Group Head of Planning in conjunction with the Committee Chairperson and Vice chairperson refuse the application or in limited circumstances to extend the time to complete the s106. The reason for refusal is as follows:

The proposed development makes no contribution towards local infrastructure and is thereby contrary to the Policy INF SP1 of the Arun Local Plan and the National Planning Policy Framework.

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 positive impact on the protected characteristic of age.

SECTION 106 DETAILS

The application is subject to a Section 106 Agreement which is being drawn up and seeks library contributions of £13,455 and Fire & Rescue £1,250.

The contributions generated by this proposal shall be spent on expansion of the facilities at Bognor Regis Library. This contribution is considered to be NPPF compliant as being necessary and directly related to the development proposed

Fire and Rescue Service Contribution to be used towards supply and installation of additional fire safety equipment to vulnerable persons homes in West Sussex Fire Rescue Services Southern Area serving Middleton. However, a recent appeal decision (Blastreat Retirement Home, Arundel) where a similar contribution was requested the Inspectors decision was that such a very general request for a contribution could not be shown to be directly related to the proposed development. As such, this contribution will not be sought as it is not sought to be NPPF compliant.

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

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

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

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

PA/001 Site Location Plan

PA/002 Site Plan as Existing

PA/005A Proposed Site Layout Plan

PA/003 Proposed Site Plan Footprint Comparisons

PA/006B Proposed Site Block Plan (showing ground floor arrangement)

PA/010 Rev A Proposed Ground Floor Plan

PA/011 Proposed First Floor Plan

PA/012 Proposed Second Floor Plan

PA/013 Proposed Roof Plan

PA/020 Rev A Proposed South, South Gable end, West gable end and West elevations

SH2 PA/021 Proposed North and East Elevations

PA 022 Proposed Site Sections

PA/023 Proposed Site Sections

002 PO3 Rev 3 Landscape General Arrangement Plan

TR04 Rev B Proposed Access Arrangement

SWDS 01 Proposed Drainage Layout

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

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

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

Reason: In the interests of highway safety and the amenities of the area in accordance with policy TSP1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because any works on the site could result in congestion or impede access onto a classified road which could compromise highway safety.

- 4 No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policy TSP1 of Arun Local Plan.

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

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies in accordance with policy TSP1 of Arun Local Plan.

- 6 No part of the development shall be first occupied until such time as a Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan Statement shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport in accordance with policy TSP1 of Arun Local Plan.

- 7 No part of the development shall be first occupied until such time as plans, details and construction specification showing the proposed surfacing works for Right of Way no. 160 have been submitted to and approved in writing by the Local Planning Authority and the details so approved shall be completed within 3 months of first occupation of the home.

Reason: To ensure that suitable materials are used for the surfacing works and to safeguard users in accordance with TSP1 of the Arun Local Plan.

- 8 The development shall proceed in accordance with the Ecological Impact Assessment dated September 2019 and the Reptile and Bat Mitigation Measures and Enhancement Strategy detailed within the report and the ecological enhancements detailed on drawing P06 Rev P07. Details of gaps to be included at the bottom of the fences to allow movement of small mammals across the site shall be submitted to and approved by the Local Planning Authority and the details so approved shall be incorporated within the scheme prior to occupation and retained in perpetuity.

Reason: To safeguard the ecology of the area, and in the interests of bats/birds to ensure that a habitat remains for them during and after development in accordance with policy ENV DM5 of Arun Local Plan.

- 9 The care home shall not be occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the home will incorporate decentralised, renewable and low carbon energy supply systems and use sustainable construction methods. The approved scheme shall thereafter be implemented prior to occupation of the home and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: To ensure that the development is energy efficient, and in accordance with policy ECC SP2 of the Arun Local Plan.

- 10 Development shall not commence until a PRE-COMMENCEMENT Site Meeting has taken place between the Planning Authority's Tree Officer and the Arboricultural Expert representing the site owner(s) - at this meeting all protective fencing and ground protection measures will be inspected to verify they are 'Fit for Purpose' as required under British Standard 5837:2012 and have been erected and positioned exactly as shown on the Tree Protection Plan, PJC/5256/19/C (sheets 1 to 4), 28/08/2019.
- A schedule of Site Monitoring/Supervision visits and Reporting Procedures prepared by an Arboricultural Expert will be required and their extent will be agreed on at the site meeting to the satisfaction of the Planning Authority's Tree Officer.

Reasons: To comply with BS5837 and policy ENV DM1 of Arun Local Plan and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area. It is considered necessary for this to be a pre-commencement condition to ensure that the health of the protected Ash trees is not compromised.

- 11 All activity at the site is to be carried out in strict accordance with Arboricultural Impact Assessment, PJC ref: 5256/19-02 Rev - and Arboricultural Method Statement, PJC ref: 5256/19-03 Rev -.

If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones, then prior to their installation a Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced out on site.

Reasons: To comply with BS5837 and policy ENV DM4 of Arun Local Plan and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area.

- 12 Any tree pruning considered essential to enable the agreed development must meet the requirements of BS3998:2010 Tree work - Recommendations:

- Where whole branches are to be removed and final cuts made close to the trunk or branch union they are to be made as shown in Figure 2 of BS3998:2010.
- Where branches are to be shortened back the final cuts are to be made at the correct angle shown in BS3998:2010 and adjacent to a live bud or lateral.

Reasons: In the interest of continued health and vitality of trees and to accord with current industry guidelines and sound arboricultural practice and policy ENV DM4 of Arun Local Plan.

- 13 Landscaping (soft) shall be carried out in accordance with the details shown on plan (Softworks Plan 002_PO2 rev2). All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy D DM1 and ENV DM4 of the Arun Local Plan.

- 14 No development above damp proof course (DPC) level shall take place until precise details of boundary treatments have been submitted to and approved by the Local Planning Authority and the care home shall not be occupied until such treatments have been erected.

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

- 15 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 and hard landscaping 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 by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

- 16 Prior to the commencement of construction works details of a proposed foul and surface water sewerage shall be submitted to and approved in writing by the Local Planning Authority and no dwelling shall be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details.

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul sewerage in accordance with policies W DM1 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to consider the foul water drainage system prior to commencing any building works.

- 17 Development shall not commence, other than works of site survey and investigation, 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, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended 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 W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a

pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 18 No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority for any proposals: to discharge flows to watercourses; or for the culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values. No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. And 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. It is considered necessary for this to be a pre-commencement condition to protect existing watercourses prior to the construction commencing.

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

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that the future maintenance and funding arrangements for the surface water disposal scheme are agreed before construction commences.

- 20 INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.

- 21 INFORMATIVE: Under Section 23 of the Land Drainage Act 1991 Land Drainage Consent must be sought from the Lead Local Flood Authority (West Sussex County Council), or its agent (Arun District Council land.drainage@arun.gov.uk), prior to starting any works (temporary or permanent) that affect the flow of water in an ordinary watercourse. Such works may include culverting, channel diversion, discharge of flows, connections, headwalls and the installation of trash screens.

The development layout must take account of any existing watercourses (open or culverted) to ensure that future access for maintenance is not restricted. No development is permitted within 3m of the bank of an ordinary watercourse, or 3m of a culverted ordinary watercourse.

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- 22 **INFORMATIVE: Section 59 of the 1980 Highways Act - Extra-ordinary Traffic**
The applicant is advised to enter into a Section 59 Agreement under the 1980 Highways Act, to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The Applicant is advised to contact the Highway Officer (01243 642105) in order to commence this process.
- 23 **INFORMATIVE: Works within the Highway - Implementation Team**
The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The 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: Temporary Developer Signage**
The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.
- 25 **INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this**
development, Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>
- 26 **INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.**
- 27 **INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by 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.**
- 28 **INFORMATIVE: The applicant should manage grassland areas to benefit reptiles.**