

Recommendation Report for Outline Consent

REF NO: Y/4/22/OUT

LOCATION: Kings Close
Yapton
BN18 0EX

PROPOSAL: Outline application with all matters reserved for residential development of a single detached bungalow dwelling (resubmission following Y/23/21/OUT).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This outline application seeks permission for an erection of a bungalow with all matters reserved. Although all reserved matters are reserved, an indicative site plan and street scene have been provided which show proposed bungalow in context.
SITE AREA	0.05 hectares
RESIDENTIAL DEVELOPMENT DENSITY	20 dwellings/hectare
TOPOGRAPHY	Predominantly flat
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The site is enclosed by approximately 1.8m high timber panels with a wooden gate to Kings Close.
SITE CHARACTERISTICS	Derelict rear garden with a wooden shed and gated access to Kings Close which serves cul-de-sac of properties; bushes and mature trees cleared.
CHARACTER OF LOCALITY	Residential cul de sac of T-shape in the village centre with a small shopping area along Main Road to the north-west and a Playpark on the opposite side of the road. Residential dwellings in the area vary in terms of design and scale. The north-western side of cul de sac behind shopping area has been re-developed comprising two storey semidetached and terrace of three dwellings with a habitable roof space covered with bulky half hipped roofs and extensively hard-surfaced surrounding. The south-east and south part of cul-de-sac comprise a mix of substantial buildings with gardens of an adequate size with and exception of Kingswood and Kingsclare with gardens considerably reduced due to creation of the proposal site. The surrounding area is enclosed to the south-east with 2 storey terrace houses of identical appearance (Victoria Villas) along Bilsham Road with rear outriggers and rather long narrow

gardens facing to the proposal site maintaining the green feel of the area.

RELEVANT SITE HISTORY

Y/23/21/OUT	Outline planning application with all matters reserved for 1 No. dwelling.	Refused 23-04-21
Y/97/20/PL	2 No 3-Bedroom semi-detached, two storey dwellings, car parking, associated landscaping & access to Main Road. This application is in CIL Zone 2 & is CIL Liable.	Refused 26-11-20

The reason for refusal on a recent application:

The site, by virtue of its character and close proximity to neighbouring dwellings, is considered unsuitable to accommodate a substantial chalet style dwelling without damaging the character of this established residential area and the residential amenities of adjoining properties contrary to policies D SP1, D DM1 and QE SP1 of the Arun Local Plan, Arun Design Guide and relevant paragraphs of the National Planning Policy Framework.

Having regard to the proximity and relationship of the dwelling to neighbouring residential properties the proposal would create unacceptable living conditions for the occupants of adjoining properties through overbearing, limiting their outlook and overshadowing, April Cottage, Main Road and Kingswood, Kings Close, in conflict with policies D DM1, and QE SP1 of the Arun Local Plan, Arun Design Guide and relevant paragraphs of the National Planning Policy Framework.

The reasons for refusal of application Y/97/20/PL:

The site, by virtue of its character and close proximity to neighbouring dwellings, is considered unsuitable to accommodate the proposed development without causing demonstrable harm to the residential amenities of adjoining properties through overbearing and overshadowing contrary to policies D DM1 and QE SP1 of the Arun Local Plan.

Insufficient information has been provided to enable the Local Planning Authority to consider the impact on protected species and whether the proposal results in a net gain in biodiversity. The proposal fails to accord with Arun Local Plan policy ENV DM5, with policy E3 of the Yapton Neighbouring Plan and with the National Planning Policy Framework.

REPRESENTATIONS

Yapton Parish Council: No objection with comments as follows:

- YPC whist express some concerns relating to height of ridge line and parking provision recognise that a single dwelling proposal in this built-up location is considered as a in-fill.
- YPC therefore requests that should the application be granted planning conditions are applied to restrict the maximum ridge height to ensure only a bungalow can be built on the plot.
- YPC also expect conditions to be placed to ensure that parking is provided only within the demise of the property to protect traffic flows to and from neighbouring housing.

Four letters of objection:

- The safety of the residents will be compromised.
- Any further building work will severely impact the living conditions of the residents of Kings Close in terms of access to and from their properties and the noise.
- There is a colony of 6-7 hedgehogs that live on the site plus adjoining properties; it is believed they are protected species; enough green space have been concreted over from the development of Kings Close.
- Cars, vans and lorries park on the double yellow lines making access to and from the road difficult and dangerous (with no pavement or streetlighting in the Close); this area is never policed.
- Yapton already has too much development with constant road works, large vehicles using the roads, mud and mess on the roads, volume of traffic.
- On two separate occasions the company was approached by owners of Kings Clare to purchase the land in question to restore the garden which was taken from this property however without success.
- The more building we have seen in the local area the less wildlife we see.
- The building of this property will compromise our privacy, during construction would be subject to increased levels of noise, traffic and air pollution, access to our house by ambulances which my husband requires regularly.
- No developer should be allowed to obtain the land by the extensive reducing of the existing gardens.
- Arun D. C. have an obligation to preserve the centre of the village.
- There are no floor plans and the distance of the proposed bungalow to neighbouring fences and boundaries is not known.

Comments submitted in a capacity of a Director of the Kings Close Management Company:

- Being private land, we own and maintain the road at our own expense and already experiencing considerable abuse of the rules.
- We need your support to ensure that in the granting of permission, we are not adversely affected financially and we ask that if the permission were granted conditions be attached to protect our interests relating to the listed issues.

COMMENTS ON REPRESENTATIONS RECEIVED:

Impact on highways has been assessed by the WSCC. Other issues are addressed below.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ENGINEERS Comments Regarding Surface Water Drainage: - No objection, subject to condition and informative.

ADC ENVIRONMENTAL HEALTH: No objection subject to conditions.

WSCC HIGHWAYS: No objection subject to conditions.

SOUTHERN WATER: Our records show the approximate position of our existing public foul sewer asset within the access of the development site. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.

Furthermore, it is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Full comments are online.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Built-Up Area Boundary;
Lidsey Treatment Catchment Area.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM5	ENV DM5 Development and biodiversity
HDM1	H DM1 Housing mix
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management

Yapton neighbourhood plan 2014 Policy BB1	Built-up Area Boundary
Yapton neighbourhood plan 2014 Policy E3	Protection of natural habitats
Yapton neighbourhood plan 2014 Policy E4	Minimising the environmental impact of development
Yapton neighbourhood plan 2014 Policy PK1	Parking standards for new residential development

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
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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.

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

Yapton Parish Council is currently undertaking a review of its Neighbourhood Plan and the Plan is now

being advertised under Reg 15 of The Neighbourhood Planning (General) Regulations 2012.

The relevant policies of the Yapton Neighbourhood Development Plan have been taken into account in determining this application: E3 Protection of Natural Habitat, E4 Minimising Environmental Impact of Development, H4 Quality of Design, H5 Energy Efficiency, PK1 Parking Standards for New Residential Development and BB1 Built-up Area Boundary.

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 a proposed bungalow is acceptable in principle provided it would be in conformity with D SP1 and D DM1 of the Arun Local Plan 2011-2031, NPPF paragraphs 122, 127 and Arun Design Guide (SPD).

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

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

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

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

KEY ISSUES

The key issues are principle, design and visual amenity, residential amenity, highways/traffic and wildlife.

PRINCIPLE

Whilst the area is suitable for residential development in principle, being within the built up area boundary, such development should comply with the policies in the development plan. The key policies considered are D SP1, D DM1, D DM2, T SP1, W DM1 and EEC DM1 of the Arun Local Plan.

Policy D SP1 of the Arun Local Plan requires all development to make efficient use of land reflecting the characteristics of the site and local area and policy D DM1 states that a high standard of architectural principles should be demonstrate and new development should have a minimal impact to users and occupiers of nearby properties and land. Policy D DM2 expects internal spaces to meet the requirements of Nationally Described Space Standard. Policy ECC SP2 requires all new development to be energy efficient.

Regard should be had to policy SD SP1 of the Arun Local Plan which states "When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF)." Para 120 (d) of the NPPF states that planning policies and decisions should "promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively". Paragraph 124(d) NPPF requires planning policies and decisions to support development that makes efficient use of land, taking into account the desirability of maintaining an area's prevailing character and setting.

Policy BB1 of the Yapton Neighbourhood Development Plan states that development proposals will be supported within the built-up area boundary subject to compliance with Policy SD SP2 of the adopted Arun Local Plan.

Paragraph 157 NPPF states in determining planning applications, local planning authorities should expect new development to comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable.

Due to the position of the site the dwelling would not conflict with the policies above which, in principle, allow for development or redevelopment within the built up area. The development complies with policies SD SP2 and SD SP1 of the Arun Local Plan and relevant paragraphs of the NPPF.

DESIGN AND VISUAL AMENITY

D SP1 and D DM1 (ALP) are consistent with NPPF provisions in that they require development proposals to make efficient use of land but reflect the characteristics of the site. Policy D SP1 requires development proposals to have derived from a thorough site analysis and context appraisal. Policy D DM1 requires development to have regard to character, appearance, density and scale.

Policy H4 of the YNDP affirms that proposals for new and existing development including extensions and alterations must be of high quality and designed to be sympathetic to the local design style as set out in The Yapton Contextual Appraisal and Design Guide 2020 (Appendix 5) and contribute positively to the environment.

The Arun Design Guide Supplementary Planning Document (SPD), adopted on 25th January 2021, is a material consideration in determination applications. Part P.O1 deals with infill development and requires development to respond positively to the character; infill developments, whether in rural contexts or urban environments, must aim to strike a balance between the benefits of more efficient and intense use of development land and preserving the character and local amenities of the site's context and will need to respond to the building heights, scale and massing that characterise the existing street frontage.

Paragraph 130 (NPPF) requires decisions to ensure developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.

The National Design Guide in Part C1 maintains that well-designed places are:

- based on a sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design;
- integrated into their surroundings so they relate well to them;
- influenced by and influence their context positively; and
- responsive to local history, culture and heritage.

The site is in a residential cul-de-sac characterised by a recently finished residential development of 2

storey semis and terrace of 3 dwellings with very small gardens to the north-west and detached bungalows to the south-west, detached 2 storey dwellings to the north-east and 2 storey terrace houses of an identical appearance, Victoria Villas, to the south-east. There is a general open plan feel to the surrounding area (south-east part of cul-de-sac only).

In order to facilitate the proposal site, the rear gardens of bungalows Kingswood and Kingsclare to the south have been significantly reduced and proposed dwelling would be in their former rear gardens. As such it is considered as a backland development. The plot is approximately 16x30m and all mature trees and bushes were cut down on the site some time before the first application has been submitted.

Arun Design Guide, Page 128, requires that 'backland developments should be subservient to existing properties, and their layout should seek to maximise the outlook of neighbours and proposal should avoid over-development.'

The current outline planning application with all matters reserved proposes a bungalow dwelling with frontage to Kings Close and with its own access onto Kings Close, demonstrated by the illustrative sketch information submitted with the application.

Submitted Indicative Sketch Site Plan shows the footprint of a bungalow reduced slightly in size within a distance of 2m from shared boundaries to the north-east and south-west. The applicant in their submitted Design and Access Statement points out: 'April Cottage due its orientation within its site appears to benefit from a large rear garden to the east and effectively presents a side elevation south towards the site. The illustrative sketch information submitted with the application demonstrates a generous distance for a side to side configuration between the bungalow and Kingswood comparable with the surrounding properties'.

The proposed dwelling would have an active frontage to Kings Close whilst none of neighbouring dwellings have an active frontage to Kings Close since the proposal site was originally the part of their rear gardens (bungalows of Kingswood and Kingsclare). In addition, the 'rear garden' of April Cottage to the north-east is in reality the front garden. The illustrative 'street' scene shows the front of the proposed dwelling and the side elevations of existing neighbouring dwellings. (Given the shallow rear gardens of both neighbouring dwellings the proposed street scene could create an illusion of a side to side configuration). Therefore the proposed development would be in conflict with Arun Design Guide which suggests min 14m side - back separation distance between two dwellings.

Since the provided drawings of the proposed dwelling are illustrative only this proposal can't be judged in terms of character and design, however the general size of the plot is capable of accommodating an appropriately designed dwelling in compliance with ALP policies D DM1 and D SP1.

RESIDENTIAL AMENITY:

ALP policy D DM1 requires there be minimal impact to users and occupiers of nearby property and land. ALP policy QE SP1 requires development contribute positively to the quality of the environment and ensure development does not have a significantly negative impact on residential amenity. The Arun Design Guide sets out guidance on garden depths and interface distances between houses.

Despite this being an outline application, it is appropriate to assess whether the indicative layout would give rise to any harm to existing residential properties. The closest existing dwellings to the site are Kingswood and April Cottage and the illustrative layout demonstrates distances of 2m from their rear boundaries. There are some conflicts with the Design Guide in respect of the relationship of proposed dwellings to the existing, but these could be resolved by changes to the position and shape of the proposed dwelling in relation to Kingswood and April Cottage at reserved matters stage and/or through

boundary screening.

Subject to a more detailed consideration of privacy issues at the reserved matters stage, there is no significant conflict with ALP policies D DM1 or QE SP1.

HIGHWAYS, TRAFFIC AND PARKING

Arun Local Plan policy T SP1 seeks to ensure that development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network. Policy T DM1 requires that new development be located within easy access of established non-car transport modes/routes.

Policy PK1 of the Yapton Neighbouring Plan requires a new residential development of a 4 bed dwelling provides 3 off road parking spaces.

Arun District Council's Parking Standards Supplementary Planning Document (January 2020) outlines the approach to parking at new developments.

The comments of WSCC Highways are set out in full on the Councils website and summarised elsewhere in this report. They raise no objections and state no unacceptable impact on highway safety.

As there are no details as to layout, the size of the house or the exact form of parking provision, it is not appropriate to consider parking provision at this time. Compliance with the Arun Parking Standards SPD and the relevant YNDP policies on parking will be considered at the reserved matters stage.

An objection has been raised with respect of pedestrians' safety and illegal parking within Kings Close. Whilst the concerns are valid, WSCC Highways have not considered that proposed development would result in 'severe' cumulative impacts on the operation of the highway network.

There is a requirement to impose conditions to the decision to protect the interests of the owner of private road relating to the legal permission to use their private road and other matters related to this use during construction, however, it is a civil matter issue not a planning issue.

The proposal is compliant with the development plan policies and the guidance on highway safety within the NPPF.

INTERNAL AND EXTERNAL SPACE STANDARD

Policy D DM2 states: "The planning authority will require internal spaces to be of an appropriate size to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance". It is necessary to assess the proposal against internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard) to determine if the building is suitable for residential use.

It is not considered possible to assess the internal space standards at the current time because the application is not accompanied by any floor plans.

Policy D DM1 refers to the need for compliance with the Arun Design Guide. This replaces policy D DM3 "External Space Standards" which was deleted at the request of the Local Plan Inspector. The Arun Design Guide stresses the design of new homes should provide clear delineation of public and private

spaces; incorporating a 'public front' and private 'back' to the rear of the site, providing private gardens. Section H.04 deals with Residential Outdoor Amenity: 'Amenity spaces should be of an appropriate size and shape to be usable and enjoyable. Private rear gardens should have a minimum depth of 10.5 metres. Regard should be had to para 130 (f) of the NPPF (2021) which requires development has a high standard of amenity for existing and future users.

In respect of external standards, the site is big enough to provide sufficient rear garden space which would satisfy the requirement of Arun Design Guide and complies with policies D DM1 & D DM2 and with the guidance in the NPPF (para. 130).

BIODIVERSITY

Policy ENV DM5 of the Local Plan requires development schemes shall seek to achieve a net gain in biodiversity and protect habitats on site. They shall incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats (whether designated or not)."

Policy E3 of the Yapton Neighbourhood Development Plan emphasizes that development proposals that would result in either the loss of or unacceptable harm to an existing area of natural habitat will not be permitted unless the mitigation is proposed and policy E4 advocates for the retention of well established features of the landscape, including mature trees and hedgerows.

The site is a part of residential garden with no areas of hardstanding. It was noted that trees were cut down and the garden could act as refugia for wildlife as observed by the occupiers of surrounding dwellings. No ecological survey has been submitted to show a potential impact of the development on protected species (e.g. hedgehogs and others) with details of measures to be incorporated into the development scheme to avoid loss of the species. However, this is an outline application with all matters reserved and should an application be forthcoming then an extended phase one habitat survey should be undertaken on the site to determine if there is potential for protected species. If there is potential for protected species then further surveys would be required. These surveys plus any mitigation strategies required will need to be submitted as part of the planning application prior to determination (as requested by an Environmental Officer).

In line with Policy ENV DM5 of the Arun District Local Plan information on Biodiversity Net Gain needs to be provided at the reserved matters stage.

FOUL DRAINAGE:

ALP policy W DM1 states that all developments must demonstrate that adequate drainage capacity exists or can be provided as part of the development. Where adequate capacity does not exist, there will be a requirement that facilities are adequately upgraded prior to the completion and occupation of development. Sites in the Lidsey Catchment Area must be accompanied by a Drainage Impact Assessment.

Drainage Engineers did not raise an objection subject to pre-commencement condition. Southern Water has been consulted and they do not have any objection. Their full comments are online.

There is no conflict with policy W DM1.

CLIMATE CHANGE:

ALP policy ECC SP2 requires all new residential and commercial development be energy efficient and incorporate decentralised, renewable and low carbon energy supply systems. ECC SP1 requires new

development be designed to adapt to impacts arising from climate change. YNDP policy H5 is also relevant.

A condition will be imposed to ensure the dwellings incorporate decentralised, renewable and low carbon energy supply systems. A condition is included to require electric vehicle charge points. On this basis, there would be no conflict with the relevant policies.

SUMMARY:

The development on this site would not conflict with the policies above which, in principle, allow for development or redevelopment within the built up area. The development complies with policies SD SP2 and SD SP1 of the Arun Local Plan, the emerging YNDP2 and relevant paragraphs of the NPPF.

This report identifies some impacts in respect of residential amenity, biodiversity but these can be resolved at the reserved matters stage.

The policies most relevant to this application are not considered out of date in accordance with paragraph 11 of the NPPF. The scheme is acceptable when applying the Local Plan policies (that are relevant and up to date) and it is recommended that in accordance with paragraph 11c of the NPPF that permission is granted subject to 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.

CIL DETAILS

This application is CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The permission hereby granted is an outline permission under s92 of the Town and Country Planning Act 1990 (as amended) and an application for the approval of the Local Planning Authority to the following matters must be made not later than the expiration of 3 years beginning with the date of this permission:-

- (a) Layout;
- (b) Scale;
- (c) Appearance;
- (d) Access;
- (e) Landscaping.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

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

Location Plan dwg. 21012-OPL-LOC3 Rev A;
Block Plan dwg. 21012-OPL-BLK3 Rev A.

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

- 4 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.

- 5 Prior to the commencement of development 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 Local Plan policies QE SP1 and QE DM4. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences.

- 6 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.

- 7 No construction/demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday). In addition to these hours of working, the Local Planning Authority may approve in writing a schedule of activities where it is necessary to conduct works outside the hours specified in this condition.

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

- 8 None of the new houses shall be occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will

incorporate decentralised, renewable and low carbon energy supply systems. The approved scheme shall thereafter be implemented prior to occupation of the dwellings and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

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

- 9 If, during development, contamination not previously identified is found to be present at the site then the local planning authority must be notified immediately. No further development (unless otherwise agreed in writing with the local planning authority in consultation with the Environment Agency and Portsmouth Water) shall be undertaken in that phase until the developer has submitted and had approved a site investigation, risk assessment and remediation strategy report, detailing how to mitigate the contamination identified. The remediation strategy approved by the local planning authority shall be implemented in full before development in that phase recommences.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment & prevention of harm to human health and to ensure that risks from land contamination to drinking water supplies is controlled and mitigated in accordance with Arun Local Plan policies QE SP1, QE DM4, W SP1 and W DM1.

- 10 **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 infiltration tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method. All design storms must include a climate change allowance of 40% on stored volumes or rainfall intensity. Infiltration structures must cater for the critical 1 in 10 year storm event, (plus 40%) between the invert of the entry pipe to the soakaway and the base of the structure. The design must also have provision to ensure there is capacity in the system to contain the critical 1 in 100 year storm event (plus 40%).

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 groundwater table in support of the design. The applicant is advised to discuss the extend of ground water monitoring with the council's engineers.

Supplementary guidance notes regarding surface water drainage are located at <https://www.arun.gov.uk/drainage-planning-consultations> on Arun District Council's website. A surface water drainage checklist is available on Arun District Council's website, this should be submitted with a Discharge of Conditions Application.

- 11 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. Please read our New Connections Services Charging Arrangements documents which is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.
- 12 **INFORMATIVE:** A surface water drainage verification condition guidance note is available at <https://www.arun.gov.uk/drainage-planning-consultations>.
- 13 **INFORMATIVE:** This permission conveys consent under planning legislation only and contravention with other legislation e.g. protection of wildlife etc. should be considered.

- 14 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.