

Application for Outline Consent

DECISION NOTICE

Application Ref: Y/88/18/OUT

1 To Addressee

ECE Planning
Brooklyn Chambers
11 Goring Road
Worthing
West Sussex
BN12 4AP

2 Site Address

Land North of Yapton C of E Primary School
North End Road
Yapton

3 Description of Development

Outline application with some matters reserved for the erection of 38 No. dwellings. This application affects a Public Right of Way.

4 In pursuance of their powers under this Act and related Orders and Regulations the Council **PERMIT** this development to be carried out in accordance with the application and plans and subject to compliance with the following conditions and Section 106 Agreement.

- 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) 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" drawing 04 Rev A;

"Sketch Site Layout" drawing SK10 Rev D (only insofar as it relates to access);

"Swept Path Analysis drawing 2014/2270/002 Rev A; and

"Proposed Access Arrangement" drawing 2014/2270/001 Rev C

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1 and T SP1 of the Arun Local Plan.

- 4 The development must be carried out in accordance with the recommendations of the Preliminary Ecological Appraisal (26/10/18) by PJC Consultancy. The enhancements and mitigation measures shall be implemented as per the document and then the enhancements permanently retained and thereafter maintained as fit for purpose.

Reason: In accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

- 5 No development shall commence until the vehicular access serving the development has been constructed in accordance with the approved planning drawing.

Reason: To secure satisfactory standards of access for the proposed development in accordance with policies D DM1 and T SP1 of the Arun Local Plan and paragraphs 108-110 of the NPPF. This is required to be a pre-commencement condition because it is necessary to have the access road in place prior to access by construction traffic.

- 6 No development shall take place, including any works of demolition, until a Construction & Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority (who shall consult with West Sussex County Council, Highways England and the Councils Environmental Health Officers). 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, number of and routing of vehicles during construction;
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works,
- An indicative programme for carrying out of the works,
- Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s),
- Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination,
- Measures to control the emission of dust and dirt during construction,
- A scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of the amenity of nearby residents & occupiers of any nearby noise sensitive premises, the general amenities of the area, in the interests of highway safety and in particular the free flow of the A27 Trunk Road in accordance with policies D DM1, QE SP1, QE DM1, QE DM2, QE DM3 and T SP1 of the Arun Local Plan and the National Planning Policy Framework. This is required to be a pre-commencement condition because it is necessary to have the site set-up agreed prior to access by construction staff.

- 7 No development shall commence until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Reason: The site is of archaeological significance and in accordance with Arun Local Plan Policy HER DM6.

- 8 Development shall not commence until a drainage strategy detailing the proposed means of foul disposal and a implementation timetable, has been submitted to and approved in writing by, the Local Planning Authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme and timetable.

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. It is considered necessary for this to be a pre-commencement condition because it would not be possible to implement a foul drainage scheme once development had been completed.

- 9 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 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.

- 10 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.

- 11 Prior to the occupation of any part of the development, a strategy for the provision of the highest

available headline speed of broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall take into account the timetable for the delivery of 'superfast broadband' (defined as having a headline access speed of 24Mb or more) in the vicinity of the site (to the extent that such information is available). The strategy shall seek to ensure that upon occupation of a dwelling, the provision of the highest available headline speed of broadband service to that dwelling from a site-wide network is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site will continue in accordance with the approved strategy.

Reason: To safeguard the amenities of future residents in accordance with Arun Local Plan policy TEL SP1 and Yapton Neighbourhood Plan policy BE1.

- 12 Prior to the occupation of the dwellings, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved dwellings shall be submitted to the local planning authority for approval and thereafter implemented in accordance with the approved details and the charge points shall thereafter be permanently retained and maintained in good working condition.

Reason: New petrol and diesel cars/vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the National Planning Policy Framework.

- 13 No part of the development shall be first occupied until visibility splays of 2.4 metres by 76m to the north and 2.4m by 67 metres to the south have been provided at the proposed site vehicular access onto North End Road in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: To secure satisfactory standards of highway safety in accordance with policies D DM1 and T SP1 of the Arun Local Plan and paragraphs 108-110 of the NPPF.

- 14 No dwelling shall be first occupied until the car parking has been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. Once provided the spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide adequate on-site car parking for the development in accordance with policies D DM1 and T SP1 of the Arun Local Plan and paragraphs 108-110 of the NPPF.

- 15 No dwelling shall be first occupied until covered and secure cycle parking spaces serving the respective dwelling have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To ensure that adequate and satisfactory provision is made for the parking of bicycles in accordance with policies T SP1 & T DM1 of the Arun Local Plan and paragraphs 108-110 of the NPPF.

- 16 No part of the development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan 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 T SP1 of the Arun Local Plan 2011-31 and the National Planning Policy Framework.

- 17 Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM2 and W DM3 of the Arun Local Plan.

- 18 There is a requirement that 25% of 1, 2 and 3 bed dwellings included as part of the development must be delivered to Lifetime Home standards (or the equivalent current standard).

Reason: To ensure that part of the development allows for residents to remain in their own homes over the course of their lifetime in accordance with policy H3 of the Yapton Neighbourhood Plan.

- 19 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the National Planning Policy Framework). Details and a timetable of how this is to be achieved for each phase or sub phase of development, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority before any development in that phase or sub phase begins. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to secure on site renewable energy in accordance with national planning policy, in accordance with policy ECC SP2 of the Arun Local Plan.

- 20 No removal of trees, shrubs or other vegetation that may contain birds' nests shall take place between 1st March and 31st August inclusive, unless a suitably qualified ecologist/wildlife specialist has undertaken a careful, detailed, check of vegetation for active birds' nests immediately before the vegetation is cleared and confirmed that no nests will be harmed. Where nests are discovered, the vegetation shall remain in place until nesting activity has ended naturally and the ecologist has confirmed that it is safe to proceed.

Reason: To prevent interference with the breeding success of wild birds in the interests of biodiversity conservation, as well as to ensure compliance with the legal protection of birds, their nests and eggs under Section 1 of the Wildlife and Countryside Act 1981, as amended and in accordance with policy ENV DM5 of the Arun Local Plan.

- 21 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations within BS5489:1-2013 but also minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats), the interests of minimising crime and to minimise unnecessary light spillage outside the development site in accordance with policies QE SP1, QE DM2 & ENV DM5 of the Arun Local Plan.

- 22 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) with no works taking place on Sunday or Bank Holidays unless they are not audible outside of the application site.

Reason: To protect the amenities of nearby residents in accordance with Arun Local Plan policies QE SP1 and QE DM1.

- 23 In the event that contamination is found at any time during the carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. All works must stop immediately and an investigation and risk assessment must be undertaken in accordance with the requirements of the local authority contaminated land officer. Where remediation is necessary, remediation scheme must be prepared in accordance with the local authority contaminated land Officer guidance and which is subject to approval in writing of the Local Planning Authority.

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 policy QE DM4 of the Arun Local Plan.

- 24 The landscape details referred to in Condition 1 shall include details of all existing trees and hedgerows on the land indicating which are to be retained and which removed. Development shall be carried out in accordance with the approved details. No hedge or tree shall be felled, uprooted or otherwise removed before, during or after the construction period except where removal is indicated on a plan approved by the local planning authority.

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

- 25 The landscape details referred to in Condition 1 shall include full details of the position, design, materials, height and type of boundary treatments to be provided. The boundary treatments shall be provided to each dwelling before the dwelling is occupied or in accordance with the approved phasing plan. Development shall be carried out in accordance with the approved details and permanently retained in a useable condition thereafter.

Reason: In the interest of amenity and the quality of the environment of the development in accordance with policy D DM1 of the Arun Local Plan.

- 26 The landscape details referred to in Condition 1 shall include a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas other than privately owned domestic gardens. The landscape management plan shall be implemented in accordance with the approved details.

Reason: In the interest of amenity and the quality of the environment of the development in accordance with policies D DM1 and LAN DM1 of the Arun Local Plan.

- 27 As part of the approval of the reserved matters application, the applicant shall include details of how the scheme will link with surrounding land. The links shown shall then be provided prior to completion of the development and retained in perpetuity.

Reason: To promote sustainable development by encouraging walking and cycling in accordance with policy D DM1 of the Arun Local Plan and the National Planning Policy Framework.

INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to the following provisions:

AFFORDABLE HOUSING

30% (11 units) affordable housing (tenure split of Rented: 4 x 3bed; 3 x 2bed and 1 x 1bed; and Intermediate: 1 x 3bed; 1 x 2bed and 1 x 1bed).

PUBLIC OPEN SPACE/PLAY

Public open space (POS) of 2675m² in size (comprising of the large central area of POS and the landscape buffer to the western boundary) and an on-site local area play (LAP) facility. This will be subject to one of the following:

- (a) a management plan for the forward maintenance of the POS & LAP which details the management regime and responsibility; or
- (b) where the POS & LAP is to be handed over post practical completion, a maintenance contribution of £13.51 per m².

WSCC INFRASTRUCTURE CONTRIBUTIONS

The use of a formulaic approach to calculate the future contributions to be spent on the following projects:

- (1) on additional facilities at Yapton CofE Primary School.
- (2) on additional facilities at St Philip Howard Catholic High School.
- (3) on classroom infrastructure at St Philip Howard Catholic High School Sixth Form.
- (4) on a project to enhance library space with improved digital access at Littlehampton Library
- (5) Fire and Rescue Service Contribution to be used towards New anti-ventilation and UHP (ultra-high pressure) equipment which allows the fire service to control access and smoke penetration within the West Sussex Fire Rescue Services Southern area serving the parish of Yapton.

HIGHWAYS

A financial contribution of £60,000 to be paid to WSCC to deliver a scheme of 'Safer Route to School' improvements associated to the Yapton CE School on North End Road, Yapton. This will assist in progressing North End Road and school access enhancements to discourage parking in the vicinity of the site access and help address on-street parking issues. This should be index linked to March 2016 as per the wording in clause 10.3 of the S106 Agreement secured under Y/93/14.

Where the developer intends to keep some of the estate roads private we will require provisions in any s106 agreement to ensure that they are properly built, never offered for adoption and that a certificate from a suitably qualified professional is provided confirming their construction standard.

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.

INFORMATIVE: If during construction works, it becomes apparent that drainage implementation cannot be carried in accordance with previously agreed details any resubmission of the drainage design must be accompanied by an updated copy of the management manual.

INFORMATIVE: 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.

INFORMATIVE: In accordance with policy H2 of the Yapton Neighbourhood Plan & policy H DM1 of the Arun Local Plan, there is a requirement that the proposed reserved matters submission conform to the following range of dwellings: 1-bed dwellings: 10-15% of all dwellings; 2-bed dwellings: 25-35% of all dwellings; 3-bed dwellings: 45-55% of all dwellings; and 4+-bed dwellings: 5-10% of all dwellings. This mix will take precedence over any suggested housing mix in the Section 106 Legal Agreement.

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

INFORMATIVE: The applicant is advised that they must apply and obtain approval from West Sussex County Council as Highway Authority for all temporary directional signs to housing developments that are to be located on the highway. Further details of the process and how to apply are available here <https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/temporarydevelopment-signs/#overview>

INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read the New Connections Services Charging Arrangements documents which is available to read on SW's website here: <https://beta.southernwater.co.uk/infrastructurecharges>.

INFORMATIVE: Please note the following advice from the WSCC Public Rights of Way (PROW) Team:

- Safe and convenient public access is to be available at all times across the full width of the PROW, which may be wider than the available and used route - advice on the legal width can be provided by the WSCC PROW Team;
- The path is not to be obstructed by vehicles, plant, scaffolding or the temporary storage of materials and / or chemicals during any works. These will constitute an offence of obstruction under the Highways Act 1980;
- No new structures, such as gates and stiles, are to be installed within the width of the PROW without the prior consent of the WSCC PROW Team. These will constitute an offence of obstruction under the Highways Act 1980;
- Any down pipes or soakaways associated with the development should discharge into an existing or new drainage system and away from the surface of the PROW. No drainage system is to be installed through the surface of the path without the prior consent of the WSCC PROW Team;
- Where the ground levels adjacent to the PROW are to be raised above existing ground levels, this could increase the potential to flood the path. A suitable drainage system must be installed adjacent to the path to a specification agreed with the WSCC PROW Team prior to development commencing;
- Any alteration to or replacement of the existing boundary with the PROW, or the erection of new fence lines, must be done in consultation with the WSCC PROW Team to ensure the legal width of the path is not reduced and there is no unlawful encroachment;
- Access along a PROW by contractors' vehicles, deliveries or plant is only lawful if the applicant can prove it has a vehicular right; without this an offence under the Road Traffic Act 1988 section 34(1) is being committed;
- The applicant is advised that a public access right has precedence over a private access right. Where a PROW runs along a route also used for private access purposes, usually for private vehicle access, this

shared use has the potential for accident or injury - the applicant must consider how access is managed so the public is not endangered or inconvenienced;

- It is an offence to damage the surface of a PROW without the prior consent of the WSCC PROW Team. The applicant must supply a specification and secure the approval of the WSCC PROW Team before works affecting the PROW begin, even if the surface is to be improved. Where a PROW surface is damaged and there was no prior consent, the applicant will be liable and required to make good the surface to a standard satisfactory to the WSCC PROW Team; and
- Where it is necessary to undertake works within the legal width of a PROW, e.g. install utilities, (or for development works immediately adjacent to a PROW that can not reasonably be managed through different Health and Safety practice) the applicant must be advised to apply to WSCC PROW Team for a temporary path closure.

INFORMATIVE: Please note the following comments of the Council's Landscape Officer:

- A re-routed public footpath no 326 has been shown within the development which fails to incorporate the POS instead favouring a cul-de-sac and roadway which may not be considered ideal;
- The buffer zone on the western edge has the potential to be a valuable and useable asset to the development and could be increasingly so if it were made accessible with the potential pathway connectivity between the adjoining developments Stakers Farm and Bonhams;
- This 5m buffer whilst affording wildlife corridor and biodiversity habitat presently also creates a potentially inaccessible corridor beyond the rear fences of gardens - further landscape detail should be submitted to show what is proposed for this area and how it would benefit the development;
- The emerging landscape design aims should be:
 - (a) to design and implement a scheme that reflects and incorporates elements of its surroundings and enhances the atmosphere of local distinctiveness,
 - (b) to create a visually pleasing and interesting landscape for owners, employees and visitors to the development,
 - (c) to enhance the landscape quality of the site when viewed from the surrounding area,
 - (d) to provide a planting scheme that includes native species to blend with the surrounding location, enhance biodiversity and create enhanced wildlife corridor opportunity,
 - (e) to provide a sense of flow and cohesion between the different elements of the landscape, buildings, open areas and surrounding environment,
- As a minimum reserved matters submission, a full landscape scheme should be submitted for approval, detailing species choice, position, densities and size at time of planting. This should be plotted in plan and list form and in relation to the trees and vegetation to be retained in the locale, so that a clear picture of the proposals can be seen;
- The landscape scheme should maximise the biodiversity of the site with the inclusion of native species and the retention of a variety of habitats; and
- The long term management of the developing landscape would need to be considered.

INFORMATIVE: Please note the following comments of Sussex Police:

- I direct the application or their agent to our website at www.securedbydesign.com where SBD Homes 2016 document can be found. The Secured by Design scheme is a Police initiative to guide and encourage those engaged within the specification, design and build of new homes, and those undertaking major or minor property refurbishment, to adopt crime prevention measures. The advice given in this guide has been proven to reduce the opportunity for crime and the fear of crime, creating safer, more secure and sustainable environments;

- SBD Homes 2016 Chapter 8 provides recommendations regarding the layout of roads and footpaths;
 - The development in the main has outward facing dwellings with back to back gardens which has created good active frontage with the streets and the public areas being overlooked, this design has eliminated the need for vulnerable rear garden pathways. Parking in the main has been provided with in-curtilage & garage parking and a number of on street parking bays, this should leave the street layout free and unobstructed;
 - It is important that the boundary between public space and private areas is clearly indicated. It is desirable for dwelling frontages to be open to view, so walls fences and hedges will need to be kept low or alternatively feature a combination (max height 1m) of wall, railings or timber picket fence;
 - Where communal parking occurs it is important that they must be within view of an active room within the property. An active room is where there is direct and visual connection between the room and the street or the car parking area. Such visual connections can be expected from rooms such as kitchens and living rooms, but not from bedrooms and bathrooms;
 - Gable ended windows can assist in providing observation over an otherwise unobserved area;
 - Secured by Design (Homes 2016) document recommends where footways are provided they shall measure at least 2m in width and at least 3m outside schools, shops or other community facilities in the area where the public are likely to congregate;
 - Bearing in mind the close proximity of the primary school and parents parking outside and along the road, a 3 metre footpath between the school and the application access would be beneficial;
 - It is important that pedestrians have a good view ahead and around them. Foot paths should be straight, wide and well lit, be overlooked and avoid potential hiding places;
 - Routes for pedestrians, cyclists and vehicles should be integrated to provide a network of supervised areas to reduce crime and antisocial behaviour;
 - Physical barriers may also have to be put in place where 'desire' lines (unsanctioned direct routes) place users in danger, such as busy road junctions; This should apply to the eastern end of footpath 329 where a barrier will be required to deter direct access into the road;
 - The Department of Transport Manual for Streets 2007 Chapter 6 Paragraphs 6.3.22 and 6.3.23 recommends that a minimum footpath width of 2 metres must be left clear for the passage of pedestrians. This gap should be increased if the location is congested to avoid any conflict with passing traffic;
 - Depending on the visibility through or over the boundary fence of the school and also the rear fencing or hedgerows of plots 1 to 6, the view of PROW 329 footpath may be very restricted especially when the school is not open. This provides potential opportunities for crime and antisocial behaviour. The same potentially restricted view can be said for PROW 326 which runs behind plots 18, 19 and 26 on the north perimeter of the development;
 - Generally, as the first line of defence, perimeter fencing must be adequate with vulnerable areas such as side and rear gardens needing more robust defensive barriers by using walls or fencing to a minimum height of 1.8metres;
 - In circumstances that require a more open feature such as a garden overlooking a rear parking court or a rear garden pathway, 1.5metre high close board fencing topped with 300mm of trellis can achieve both security and surveillance requirements. This solution provides surveillance into an otherwise unobserved area and a security height of 1.8 metres.
- Footpath 329 may also be subject to greater use if permission is granted to the neighbouring development Y/44/17/OUT and the addition of a further 77 homes;
- The primary school's northern perimeter fencing must also be secure to prevent unauthorised access to the

school

grounds and children within, as the public open space opens up easier access to it from the footpath 329 and the

development roads;

- Likewise the same PROW 329 between plots 7 and 8 on the west side of the development may also have a restricted

view into it, depending on the perimeter fencing or hedging on either side;

- Where isolated footpaths are unavoidable, to provide a more open view and where space permits, footpaths should be 3 metres wide to allow people to pass without infringing personal space and to accommodate passing wheelchairs, cycles

and mobility vehicles;

- In general planting next to a footpath should begin at the outer edge of the verge, starting with low growing plants with

taller shrubs and trees to the rear. Planting immediately abutting the path should generally be avoided as shrubs and

trees have a tendency to grow over the path creating pinch points, places of concealment and unnecessary management.

Careful selection of plant species is critical in order not to impede natural surveillance and avoid unnecessary high

maintenance. Trees on appropriate route stocks can provide a more reliable means of reducing the likelihood of reducing

natural surveillance;

- As a general recommendation where good visibility is needed shrubs should be selected to have a mature growth height

no higher than 1 metre, and trees should have no foliage or lower branches below 2 metres which allows 1 metre field of

view between them;

- Lighting throughout the development will be an important consideration and should conform to the recommendations

within BS5489:2013; and

- I am pleased to see that provision has been made for the storage of bicycles within the development.

Further information regarding the storage of bicycles can be found at www.securedbydesign.com SBD (Homes2016) document, Chapter 53.

INFORMATIVE: If a sewage treatment plant or related pumping station is required on the site then there should be a distance of at least 15m between the pumping station/treatment plant and any residential dwelling.

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.



Neil Crowther
Group Head of Planning

Case Officer: Mr S Davis

Decision Issued: **26th November 2019**

Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against this planning application decision, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and you want to appeal against this planning application decision, then you must do so within 28 days of the date of service of the enforcement notice, or within 12 weeks of the date of this notice, whichever period expires earlier.

Otherwise, if you want to appeal against this decision then you must do so within 6 months of the date of this notice.

Appeals must be using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <http://acp.planninginspectorate.gov.uk>

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

PURCHASE NOTICES

If either the local planning authority or the Secretary of State refused permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park authority for the Park, or in any other case the district council in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town & Country Planning Act 1990.

Please note that this decision notice only relates to matters under the Planning Acts and does not give consent under any other legislation that may apply to the development. You will need to carry out your own checks to determine whether any other consents or permissions are required. For example, the Building Regulations are likely to apply to most developments, and a Highways Licence may be required from West Sussex County Council for any development within the public highway (including the placing of skips on highway land).