



Public Document Pack

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Committee Manager Carrie O'Connor

12 June 2019

Development Control Committee

A meeting of the Development Control Committee will be held in the Council Chamber, Arun Civic Centre, Maltravers Road, Littlehampton BN17 5LF on **Thursday 27th June 2019 at 2.30 pm** and you are requested to attend.

Members: Councillors Bennett (Chairman), Thurston (Vice-Chair), Baker, B Blanchard-Cooper, Bower, Charles, Coster, Hamilton, Lury, Oliver-Redgate, Northeast, Mrs Pendleton, Roberts, Mrs Stainton and Yeates

PLEASE NOTE THAT THE ORDER OF THE AGENDA MAY BE ALTERED AT THE DISCRETION OF THE CHAIRMAN AND SUBJECT TO THE AGREEMENT OF THE MEMBERS OF THE COMMITTEE

PLEASE ALSO NOTE THAT PLANS OF THE APPLICATIONS DETAILED IN THE AGENDA ARE AVAILABLE FOR INSPECTION AT THE COUNCIL'S PLANNING RECEPTION AT THE CIVIC CENTRE AND/OR ON LINE AT www.arun.gov.uk/planning <<http://www.arun.gov.uk/planning>>

AGENDA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members and Officers are reminded to make any declarations of pecuniary, personal and/or prejudicial interests that they may have in relation to items on this agenda and are reminded that they should re-declare their interest before consideration of the item or as soon as the interest becomes apparent.

Members and officer should make their declaration by stating

:

a) the application they have the interest in

- b) whether it is a pecuniary, personal and/or prejudicial
- c) the nature of the interest
- d) if it is a prejudicial or pecuniary interest, whether they will be exercising their right to speak to the application

3. VOTING PROCEDURES

Members and Officers are reminded that voting at this Committee will operate in accordance with the Committee Process as set out in the Council's adopted Planning Local Code of Conduct for Members and Officers at Part 8 of the Constitution. A copy of the Planning Local Code of Conduct can be obtained from Planning Services' Reception and is available for inspection in the Members' Room.

4. ITEMS NOT ON THE AGENDA WHICH THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES

PLANNING APPLICATIONS

- 5. AL/3/19/PL NYTON NURSERY, NYTON ROAD, (Pages 1 - 28)
WESTERGATE PO20 3UQ
- 6. AL/32/19/OUT WINGS NURSERY, LIDSEY ROAD, (Pages 29 - 58)
WOODGATE PO20 3SU
- 7. Y/62/18/OUT CLAYS FARM, NORTH END ROAD, YAPTON (Pages 59 - 88)
BN18 0DT
- 8. CM/4/19/PL LAND SOUTH OF THE A259, GREVATT'S (Pages 89 - 116)
LANE, CLIMPING BN17 5RE
- 9. Y/103/18/PL 10 ACRE FIELD, NORTH OF GREVATTS (Pages 117 -
LANE, YAPTON 142)
- 10. A/40/18/OUT LAND NORTH OF WATER LANE, (Pages 143 -
ANGMERING 190)

BACKGROUND PAPERS

In the case of each report relating to a planning application, or related matter, the background papers are contained in the planning application file. Such files are available for inspection/discussion with officers by arrangement prior to the meeting.

Members and the public are reminded that the plans printed in the Agenda are purely for the purpose of locating the site and do not form part of the application submitted.

Contact Officers :

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Note : *Indicates report is attached for all Members of the Council only and the press (excluding exempt items). Copies of reports can be obtained on request from the Committee Manager).

Note : Members are reminded that if they have any detailed questions would they please inform the Chairman and/or relevant Director in advance of the meeting.

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PLANNING APPLICATION REPORT

REF NO: AL/3/19/PL

LOCATION: Nyton Nursery
Nyton Road
Westergate
PO20 3UQ

PROPOSAL: Residential development of 68 No. dwellings (net increase of 23 over current consent AL/102/17/RES) including 30% affordable housing (7 units) with associated access, public open space & landscaping.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Residential development of 68 No. dwellings (net increase of 23 over current consent AL/102/17/RES) including 30% affordable housing (7 units) with associated access, public open space & landscaping.
SITE AREA	Approximately 1.81 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	Approximately 37.56dph
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The application site forms part of a larger development previously approved under reference AL/61/13/ and AL/102/17/RES and as such the redline does not feature any existing boundary treatments.
	In terms of the wider development site the eastern boundary of the site is kept by a hedgerow which supplements low level post and wire fencing. Northern boundary kept by various fencing, intermittent hedging and a row of trees to the north-west corner. Southern boundary kept by mature hedging, low level wire fencing in part and fencing. Part of the western boundary is kept by domestic boundary hedging/fencing to the larger residential curtilages within Northfields Lane and the north part by a country lane with open farmland beyond.
SITE CHARACTERISTICS	The application site was previously in agricultural use prior to the approval of AL/61/13/ and AL/102/17/RES which is currently being implemented. The wider development site was also previously used as grazing land with a barn and storage area for farm machinery/equipment centrally located within the wider site.
	The south-west corner of the site was previously in horticultural use (prior to development of the site

commencing). The horticultural use included greenhouses with growing areas and a residential property which is associated with the nursery. The greenhouses have been demolished.

The north-west corner of the site was also in use for the keeping of horses with stables and associated hard-standing.

The site was originally accessed from Fontwell Avenue, Nyton Road and Northfields Lane. However, the existing approval secures vehicular access via Fontwell Avenue with emergency access and pedestrian access to be provided from Northfields Lane and Nyton Road.

CHARACTER OF LOCALITY

Site is located on the edge of the settlement of Westergate. Residential properties line the southern boundary of the sites, these are a mix of 1 and 2 storey properties of varied designs.

Pig sheds, farmland and scrap yard to the north/north-east of the site with residential properties and Fontwell Racecourse beyond. To the east is the A29 with residential properties beyond.

Northfields Lane runs along the western boundary which provides a significant landscape buffer between the application site and the open arable farmland to the west.

RELEVANT SITE HISTORY

AL/102/17/RES	Application for approval of Reserved Matters following outline application AL/61/13/ for the demolition of existing glasshouses, bungalow, stables & outbuildings & residential development of 268 dwellings incl 30% affordable housing (incorporating 60 senior living units) with associated access, public open space & landscaping	ApproveConditionally 24-01-18
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AL/61/13/	Outline application with some matters resservred for the demolition of existing glasshouses, residential bungalow, stables and various outbuildings and residential development of up to 268 dwellings including 30% affordable housing (incorporating 60 Senior Living units), with associated access, public open space and landscaping. This is a Departure from the Development Plan.	Refused 14-02-14
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**Appeal: Allowed+Conditions
23-02-15**

The outline application (AL/61/13) was refused in February 2014 for the following reasons: outside the built up area boundary, lack of S106 undertaking in relation to affordable housing and other infrastructure requirements. Permission was granted on the 23 February 2015 following an appeal with a S106

agreement including on site affordable housing and open space and contributions towards swimming pool, sports hall, artificial pitches, NHS, public art, multi-use games area (MUGA), Highway works, library, education, fire service, footways and cycleways, bus service funding and a Travel Plan.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Barnham & Eastergate Parish Council

Aldingbourne Parish Council:

No comments received.

Eastergate Parish Council:

Objection - 11.02.2019

The Parish objects to this application on the basis that the parishes have already taken more housing than is reasonable and the proposal will increase the pressure on the local infrastructure. The local surgery is over capacity. The Council is concerned at the impact on the Fontwell roundabout of this proposal in addition to existing approved development. The roundabout is currently over capacity at peak times. The Barnham and Eastergate neighbourhood plan will deliver the local plan of where development should take place and is due to be revised in early course. Localism requires that the local view be heard and this application should not be approved until those views are known.

Walberton Parish Council

Objection - 31.01.2019

The Parish Council objects to this application. All Arun villages have made their Neighbourhood Plans which include housing numbers. This addition should not be permitted.

7 No. letters of objection received:

- The design and access statement makes errors in terms of its description of the area and the scale of nearby strategic allocations.
- Arun District Council currently has a 5 year housing land supply and Parishes have not had an opportunity to formalise any further housing site identification towards the non-strategic sites SPD. Therefore, this application is premature and not justified.
- The minor implications in traffic generation from this development should take into consideration the implications on traffic in Fontwell Avenue and the A27.
- The existing 268 unit scheme was granted permission after a prolonged investigation into the problems of infrastructure and facilities currently available. This was considered to be the maximum development which could be accommodated on the site.
- The additional units will add another 100 vehicles and result in gridlock during rush-hour, as well as additional strain on the local school, doctors, water and sewage.
- The additional units will be an additional burden on local facilities and road access.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments are noted and will be considered in the conclusion to this report.

CONSULTATIONS

Ecology Advisor

Engineering Services Manager

Engineers (Drainage)
Arboriculturist
Southern Water Planning
Arboriculturist
Surface Water Drainage Team
Planning and Housing Strategy
Parks and Landscapes
Environment Agency
WSCC Strategic Planning
Network Rail
Highways England
Natural England
NHS Coastal West Sussex CCG
Sussex Police-Community Safety
Economic Regeneration
Environmental Health
Southern Water Planning
Southern Water Planning

CONSULTATION RESPONSES RECEIVED:

ENVIRONMENT OFFICER

Bats · Following submission of the Updated Bat Survey (August 2017), we are happy that the mitigation proposed would be suitable. A condition should be used to ensure this takes place.

· The lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should minimise the potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary light spills through the use of directional light sources and shielding.

Dormice · Following submission of the Dormouse Mitigation Strategy (September 2017), we are happy that the mitigation proposed would be suitable. A condition should be used to ensure this takes place.

Phase One Habitat Survey · Please can the original phase one habitat survey which was submitted as part of the previous application AL/102/17/RES be uploaded to enable assessment of other protected species who may be on site.

Nesting Birds · Any works to trees or vegetation clearance on site should be undertaken outside of the bird breeding season which takes place between 1st March - 1st October.

Enhancements · Once the original phase one habitat survey has been submitted we will be able to recommend suitable enhancements for the site.

HOUSING STRATEGY & ENABLING · No objection.

NATURAL ENGLAND · No comments to make on this application.

ENGINEERS (DRAINAGE) · no objection to the revised layout and would hope to avoid the requirements for pre-commencement conditions.

· In order to avoid pre-commencement conditions please can the applicant ensure all details previously provided are uploaded to the system.

WSCC HIGHWAYS · No objection to the development is provided subject to conditions (see conditions no. 15, 16, 17 and 18).

HIGHWAYS ENGLAND · No objection.

SOUTHERN WATER · No objection.

· Further to Southern Water meeting with the developer on the 17th May 2019, Southern Water is content with the foul drainage proposals for the above development.

GREENSPACE · The increased dwellings impact on the on-site resources re: open space and play.

· I would request clarification from the developer to confirm the quantity of public open space (POS) being provided within the whole site and that the additional dwellings bring the POS and play offer at least within the minimum requirements for the entire site as a whole.

· I would still require conditions for the submission of a full and detailed planting plan for this re-planned area.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The phase one habitats survey (originally submitted in support of AL/102/17/RES) has now been submitted and is available on the Arun District Council website.

POLICY CONTEXT

Designation applicable to site:

Within the built up area boundary

DEVELOPMENT PLAN POLICES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCDM1	ECC DM1 Renewable Energy
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVSP1	ENV SP1 Natural Environment
GISP1	GI SP1 Green Infrastructure and Development
HDM1	H DM1 Housing mix
HWBSP1	HWB SP1 Health and Wellbeing
INFSP1	INF SP1 Infrastructure provision and implementation
INFSP2	INF SP2 New Secondary School
LANDM1	LAN DM1 Protection of landscape character
OSRDM1	Protection of open space, outdoor sport, comm& rec facilities
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary

SKILLSSP SKILLS SP1 Employment and Skills
1

SODM1 SO DM1 Soils

TSP1 T SP1 Transport and Development

WDM1 W DM1 Water supply and quality

WDM2 W DM2 Flood Risk

WDM3 W DM3 Sustainable Urban Drainage Systems

WSP1 W SP1 Water

Aldingbourne Neighbourhood Plan 2016 POLICY
EH5

Development in Flood risk areas will not be supported unless...

Surface Water Management

Aldingbourne Neighbourhood Plan 2016 POLICY
EH6

Protection of trees and hedgerows

Aldingbourne Neighbourhood Plan 2016 POLICY
GA2

Footpath and cycle network

Aldingbourne Neighbourhood Plan 2016 POLICY
GA3

Parking and new development

Aldingbourne Neighbourhood Plan 2016 POLICY
EH10

Unlit village status

Aldingbourne Neighbourhood Plan 2016 POLICY
H1

New housing or altering dwellings

Quality of Design

Aldingbourne Neighbourhood Plan 2016 POLICY
H3

Housing density

Aldingbourne Neighbourhood Plan 2016 POLICY
H4

10 or more to include 40% unless unviable

Affordable Housing

Aldingbourne Neighbourhood Plan 2016 POLICY
H8

Dwellings must have adequate private or shared amenity.

Outdoor space

Aldingbourne Neighbourhood Plan 2016 POLICY
H9

Items to consider e.g. - bin stores

Attention to detail

Aldingbourne Neighbourhood Plan 2016 POLICY
H2

Range of house types

Housing Mix

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD1 Open Space & Recreation Standards

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.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

The Aldingbourne Neighbourhood Plan has also been made and forms part of the development plan in the determination of this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal is considered to comply with relevant Development Plan policies in that the development will not result in an unacceptably adverse impact upon the character of the locality, landscape or residential amenity of existing or future occupiers. Appropriate mitigation will be secured via the S106 to address the impact of the proposed development upon infrastructure.

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**INTRODUCTION**

Following submission of the original proposal (25 additional dwellings beyond those original approved by applications AL/61/13/ and AL/102/17/RES) negotiation has taken place between the applicant and the Local Planning Authority to enhance the proposed scheme. By virtue of the amendments the application has been re-advertised and this period will run until the 27th June 2019. A report update will be prepared for members summarising the additional consultation responses and representation's received. However, given that the number of additional units proposed has reduced from 25 to 23, beyond that original approved under references AL/61/13/ and AL/102/17/RES, it is considered that a recommendation can be made at this time.

PRINCIPLE

The application site is situated within the built up area boundary as defined by policy SD SP2 of the Arun Local Plan (2011-2031). The site benefits from outline permission under reference AL/61/13/ for the construction of up to 268 dwellings including 30% affordable units (incorporating 60 senior living units). The reserved matters application for the 268 unit scheme was approved under reference AL/102/17/RES.

This application seeks to amend the layout for the northern parcel of the site which would see the total number of units for this portion of the site increase from 45 to 68 dwellings (an increase of 23 units). It is considered that the principle of residential development on the site has been established by the original approval (for up to 268 dwellings) and the sites siting within the built up area boundary.

Therefore, the principal of the proposed residential development on the site is acceptable subject to accordance with relevant development plan policies, this will be considered further in the report.

LAYOUT, DESIGN AND APPEARANCE

The proposal will see an additional 23 dwellings accommodated on the northern most parcel of the originally approved development under references AL/61/13/ and AL/102/17/RES. The site the subject of this application measures approximately 1.81ha and the additional 23 dwellings result in a density of approximately 37.56dph. The originally approved reserved matters layout for this portion of the site was at a density of 24.86dph.

Despite this increase in density it is considered that the proposed development has retained the character established for this portion of the site through the amended layout. The previous reserved matters approval identified within the Design & Access Statement that the northernmost portion of the site was 'defined by the generous landscaped belt to the north western flanks of the site. Including grass land and tree planting this space will be overlooked by an informal arrangement of detached homes with a looser building line, set behind a shared surface lane.'

This character was considered key given that the northern and western boundaries face out towards the countryside and this design approach minimised the impact of development upon the established landscape character.

The proposal the subject of this application, by virtue of the additional 23 dwellings, will result in a higher density adjacent to the northern and western boundaries of the site. The original layout for the northern most parcel of the site featured 20 dwellings sited adjacent to the northern and western boundaries of the site with the revised layout featuring 27 dwellings.

However, the dwellings have been designed and sited to retain the previously approved character with the separation distances and spacing between dwellings considered to reflect the principles previously established by the reserved matters application under reference AL/102/17/RES. Therefore, it is considered that the increased in density will not result in an unacceptable impact upon the established character of the northern section of the site, as previously approved, in accordance with policy D DM1(1) of the Arun Local Plan nor will it result in any additional impact upon the landscape character of the locality beyond that which has already been approved. As such, the proposed development accords with policy H3 of the Aldingbourne Neighbourhood Plan.

Certain elements of the revised proposal constitutes an enhancement to the previously approved layout with plots 120, 121, 134, 135 and 136 creating more of a 'community' than the original layout which delivered a single dwelling isolated in this same location with only garages for neighbours. The proposed amendment has also secured a scale of development in keeping with the principles of the previously approved outline and reserved matters application with the dwellings being a maximum of two storeys in height.

A number of the dwellings feature parking forward of the primary elevation (plots 120-121, 134-136, 145-150 and 217-221) this approach would usually result in car parking being overly dominant and detrimental to the character of the development. However, this approach (with the exception of plots 227 and 229 on the western boundary) has only been adopted for those properties located centrally within the residential blocks. Therefore, the car parking will not be overly dominant within the street scene and as such will not have an unacceptably adverse impact upon the character of the development. With plots 227 and 230 planting has been incorporate to mitigate the presence of the parking spaces within the street scene and avoid parking being overly dominant.

The appearance of the dwellings has retained the character of the development as established through the original reserved matters approval under reference AL/102/17/RES as well as retaining the external materials as finishes as already established in the development of the wider site. Therefore, the proposals are considered appropriate and acceptable and are in accordance with policy H1 of the Aldingbourne Neighbourhood Plan.

Policy H9 of the Aldingbourne Neighbourhood Plan concerns 'attention to detail' and identifies a number of elements which should be considered early in the design process and integrated throughout the development. This includes bin stores, cycle stores, lighting, gutters and pipes etc. The development in this case has considered with guttering and pipes, cycle storage and bin collection having been demonstrated in the design and layout of the development. Therefore, the proposals are accord with policy H9 of the Aldingbourne Neighbourhood Plan.

Garages have also been designed to reflect the character of the dwellings they serve and as such this aspect of the proposal is deemed to accord with policy GA3.2 of the Aldingbourne Neighbourhood Plan.

By virtue of the above the proposed layout is acceptable and is in accordance with policy D DM1 of the Arun District Local Plan and relevant policies within the Aldingbourne Neighbourhood Plan.

RESIDENTIAL AMENITY

The proposed layout secures appropriate garden depths to secure adequate private outdoor amenity space to meet the needs of future occupiers. Similarly, adequate separation distances are secured between the proposed dwellings to avoid any unacceptably adverse overlooking between first floor windows.

Plots 139 and 140 are situated centrally within the central residential block and by virtue of the separation distances has the potential to give rise to unacceptably adverse overlooking of neighbouring properties. However, the properties themselves have been designed to exclude windows from the elevation which are in the closest proximity to neighbouring dwellings. It should be highlighted that the originally approved layout under reference AL/102/17/RES featured dwellings in a similar location which gave rise to the same relationship between properties as that now proposed.

The siting and orientation of dwellings is such that they will not give rise to unacceptably adverse overbearing or overshadowing impacts upon each other or the previously approved residential development.

Each of the dwellings is served by an enclosed rear garden which is considered to be of adequate size to meet the private outdoor amenity space requirements of each of the dwellings hereby proposed. Therefore, the proposal accords with policy H8 of the Aldingbourne Neighbourhood Plan.

As such, the proposals are considered to accord with policy D DM1(3) of the Arun Local Plan.

AFFORDABLE HOUSING & HOUSING MIX

The proposal will see the northern parcel of the site redesigned to accommodate 68 dwellings, an additional 23 dwellings beyond those originally approved under reference AL/102/17/RES. The revised layout will feature the following housing mix:

2 bed - 2 dwellings
3 bed - 37 dwellings
4 bed - 29 dwellings

As this application relates to the re-plan of a portion of a larger development it is necessary to consider the entire development when assessing the impact of the proposals upon the housing mix. Therefore, the entire revised development site (291 dwellings) will provide the following housing mix:

Market Housing (204 units)

1 bed - 0 dwellings (0%)
2 bed - 12 dwellings (5.88%)
3 bed - 93 dwellings (45.59%)
4+ bed - 99 dwellings (48.53%)

Affordable Housing (87 units)

1 bed - 42 dwellings (48.28%)
2 bed - 26 dwellings (29.88%)
3 bed - 19 dwellings (21.84%)
4+ bed - 0 (0%)

Policy H DM1 of the Arun Local Plan identifies that the Council will seek a mix of dwelling types and sizes, to include affordable housing units. The policy goes on to identify that for developments of 11 units or more the Council shall require a balanced mix of market and affordable dwelling sizes including family sized accommodation based on the most up to date Strategic Housing Market Assessment (SHMA) recommendations. The housing mix for the development proposal in this case would fail to accord with Table 29 of the Updated Housing Needs Evidence - Final Report September 2016.

However, the housing mix originally approved under reference AL/102/17/RES also failed to accord with policy H DM1 securing a total of 115 x 4+ bedroom dwellings which equated to 55.29% of the total market housing provision on site. Therefore, whilst the market housing mix proposed is not SHMA compliant it is an improvement beyond that originally allowed by virtue of a higher percentage of smaller dwellings which are preferable and as such the housing mix as proposed is deemed to be acceptable.

Policy H2 of the Aldingbourne Neighbourhood Plan identifies that proposals for new housing must provide a range of house types, sizes and tenures with at least 25% dwellings meeting Lifetime Home Standards, or its equivalent. Policy H2 states that developments will be supported which provide 25% lifetime homes rather than making this a requirement for housing developments. Irrespective of this the site already delivers a 60 unit extra care element which provides for the needs of older residents in the local area.

The proposed application will deliver an additional 7 affordable units beyond those originally secured through AL/61/13/ and AL/102/17/RES. The proposed housing and tenure mix for the entire development is as follows:

Affordable Rented (60 Extra Care units)

1 bed - 42
2 bed - 18

Intermediate Housing (27 shared ownership dwellings)

2 bed - 8

3 bed - 19

Policy AH SP2 of the Arun Local Plan states that 'For all developments of 11 units or more the Council will require a minimum 30% of the total number of units proposed on site to be provided as affordable housing on the same site in the first instance'. Policy H4 of the Aldingbourne Neighbourhood Plan requires proposals for 10 or more new dwellings to include 40% affordable housing unless it can be demonstrated that it would make the scheme unviable.

Section 38(5) of the Planning and Compulsory Purchase Act, 2004 states that "If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document". As the Arun Local Plan was adopted by the Council on 18th July 2018, the policy in the Local Plan is the most up to date and as such Policy AH SP2 has been considered in favour of Policy H4 of the Aldingbourne Neighbourhood Plan.

In this case the entire development (291 dwellings) meets the requirements of AH SP2 through the provision of 87 affordable units (30%).

It is also identified that the affordable housing tenure mix should be negotiated from a starting position of 75% affordable rent and 25% shared ownership. In this case the development as a whole will provide 68.96% affordable rented and 31.04% shared ownership. The proposed tenure mix and affordable housing mix has been considered by the Council's Housing Strategy & Enabling Manager who has raised no objection.

It is also a requirement of policy AH SP2 that affordable housing is indistinguishable from market housing with large groupings of single tenure dwellings or property types avoidable. In this case the 7 no. affordable units are proposed in two separate locations and are designed to appear indistinguishable from the market units. Therefore, in light of the above the proposals accord with policy AH SP2 of the Arun Local Plan.

Policy H2 of the Aldingbourne Neighbourhood Plan (ANP) identifies that 'proposals for new houses must deliver a range of house types, sizes and tenures'. It is considered that the proposed housing mix and affordable housing provision accords with the requirements of Policy H2 of the ANP.

HIGHWAYS & PARKING

The application seeks to amend the originally approved layout for the northern parcel of the sites with the block structure and road layout being unchanged. The design of the internal roads, footways and cycleways were considered in the determination of AL/102/17/RES and they were judged to accord with relevant development plan policies.

In this case given that no changes to design or road layout have taken place the proposals will accord with policies T SP1 and T DM1 of the Arun Local Plan as well as GA2 and GA3 of the Aldingbourne Neighbourhood Plan (ANP).

West Sussex County Council (WSCC) as the Local Highway Authority have been consulted on the proposed development and in their consultation response of the 11th March 2019 raised no objection to the proposed development. It was identified in their response that the site would be accessed by the previously approved site access under reference AL/61/13/ and that the additional 25 units (originally proposed) are predicted to generate an additional 13 trips in the AM peak and 15 in the PM peak and

given the increased trip generation (128 trips in a 12 hour period) the access as originally approved would continue to operate satisfactorily.

Parking and cycle parking has been considered by WSCC in their consultation response and it was concluded that the total parking provision was in line with the outputs of the WSCC parking demand calculator and the cycle parking would be provided in accordance with the WSCC cycle parking standards. Conditions 3 and 4 have been included to secure adequate car and cycle parking provision to meet the needs of the development as proposed.

Policy GA3.2 of the Aldingbourne Neighbourhood Plan identifies that garages must be large enough to be usable and identifies a recommended minimum of 6.5m x 3m. Whilst, the proposed garages do not meet this recommended minimum they have been considered by WSCC and no objection has been raised with internal dimension of approximately 2.9m x 5.9m. Therefore, the proposed garages are considered usable by virtue of the dimensions proposed and would not conflict with policy GA3.2 of the Aldingbourne Neighbourhood Plan.

WSCC and Arun District Council have been securing contributions from developers towards the realignment of the A29 through the Barnham/Eastergate/Westergate strategic allocation. No contribution towards this was secured from the originally approved 268 dwellings under reference AL/61/13/ by virtue of when the application was determined. However, since the determination of the original outline application for development of the site the Arun Local Plan has allocated a number of strategic sites which generate the need for the realignment of the A29.

The proposed development by virtue of its location will have an impact upon the A29 and as such a financial contribution for the additional 23 units has been secured towards this project in order to mitigate the developments impact.

Proportional contributions from the additional 23 dwellings will also be secured towards public transport, Barnham to Eastergate cycleway and the provision of a community bus service for a period of three years. The details of these contributions are set out below in the Infrastructure section of this report with the draft heads of terms at the end of this report.

Therefore, it is considered that the proposed development subject to condition and S106 contributions would accord with relevant development plan transport policies.

ECOLOGY

Policy ENV DM5 of the Arun Local Plan requires developments, in the first instance, to seek to achieve a net gain in biodiversity and to protect existing habitats on site. Policy EH6 of the Aldingbourne Neighbourhood Plan (ANP) includes requirements to incorporate biodiversity within and around developments and to enhance ecological networks.

The provision of open space, green infrastructure and internal road layout was the subject of consideration in the determination of planning application AL/102/17/RES. It was identified in the determination of this application that a Phase 1 Habitat Survey was submitted in support of the proposals. It was requested that this document was submitted in support of this application and this document has now been submitted and uploaded to the Arun District Council website. Further consultation has been undertaken with the Environment Officer and their additional comments will be provided to members as a report update along with any additional mitigation measures identified.

The application is supported by a Dormouse Mitigation Strategy as the presence of Dormice on adjacent land was established and Dormice are a protected species. Therefore, in accordance with policy ENV DM5 of the Arun Local Plan the development of the site is likely to result in an adverse impact on

Dormice and as such a full mitigation strategy was necessary.

The 'Dormouse Mitigation Strategy - September 2017' identifies that removal of vegetation should be supervised by a suitably licenced ecologist (SLE) and undertaken at the appropriate times of year. Short term disturbance would be mitigated by fencing off retained trees and planting compensatory hedgerow areas with Bramble to lessen cat predation and disturbance from residents. It was also identified that external lighting should consist of low level bollards along the hedgerows. In addition to these matters new hedgerow planting along the site boundaries would provide compensatory habitat. In accordance with the comments from the Council's Ecological Advisor a condition has been incorporated as part of the recommendation to secure compliance with the 'Dormouse Mitigation Strategy - September 2017'.

It was identified within the consultation response from Environment Officer that following the submission of the Updated Bat Survey (August 2017) that the mitigation proposed was suitable and that this detail should be secured through the use of condition.

A condition has been included requiring that details of the lighting scheme are submitted for approval by the Local Planning Authority and it is considered this will provide sufficient control to ensure that the lighting scheme accords with the requirements of EH10 of the Aldingbourne Neighbourhood Plan.

The outline approval for the site incorporated conditions requiring the submission of a Construction Environmental Management Plan and Ecological Enhancement Scheme to mitigate the impact of the development upon local ecology. This information was submitted and discharged under reference AL/119/17/DOC following consultation with the Environment Officer. It is considered that the inclusion of a similarly worded condition as part of this approval would be sufficient to mitigate the potential impacts of the development upon local ecology.

Therefore, given the information provided in support of the planning application and the conclusions of the Environment Officer it is considered subject to conditions that the proposed development accords with policy ENV DM5 of the Arun Local Plan and policy EH6 of the ANP.

DRAINAGE

It was identified in the determination of the reserved matters application that the drainage strategy at the time was acceptable subject to more detailed design and as such conditions were incorporated as part of the reserved matters approval. The conditions imposed on the reserved matters have been subsequently discharged and as such it will be necessary to consider the proposed drainage system to ensure that there is adequate capacity to serve the additional 23 dwellings proposed.

Policy W DM3 identifies that all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS) appropriate to the size of the development. The drainage strategy to serve the revised layout follows the previous principles established by the original approval.

It has been identified by the Council's Drainage Engineers that some of the details provided in support of the application require revision and minor amendments to adequately serve the development. However, it is considered that these details can be adequately secured through the use of appropriately worded conditions. It is considered that the proposed layout of the development provides sufficient space to accommodate drainage features to adequately serve the development. Therefore, the approval of the layout as proposed should not prejudice the future design of the drainage scheme.

The proposed development, subject to the inclusion of suitably worded conditions as proposed below, is deemed to accord with policies W DM3 of the Arun Local Plan and EH5 of the Aldingbourne Neighbourhood Plan.

FOUL DRAINAGE

The foul drainage system to serve the 268 unit development originally approved was the subject of consideration in the determination of the original outline approval and the subsequent reserved matters application.

It was identified in the determination of AL/102/17/RES that appropriate foul drainage capacity can be provided as part of the development in accordance with the development plan at the time of determination. This application seeks to increase the total number of units on site by 23 and consultation has been undertaken with Southern Water concerning this matter.

In their consultation response of the 23rd January 2019 Southern Water identified that the developer was currently in consultation with Southern Water regarding providing a sufficient drainage solution for this development. A subsequent consultation response was provided by Southern Water on the 17th May 2019 advising that Southern Water were content with the foul drainage proposals for the development.

Therefore, in light of the above the proposed development accords with policies W SP1 and W DM1 of the Arun Local Plan.

LANDSCAPE & OPEN SPACE

Policies LAN DM1 and ENV DM4 of the Arun Local Plan consider the protection of landscape character and trees and policy EH6 of the Aldingbourne Neighbourhood Plan considers the protection of trees and hedgerows.

The proposed development does not propose any further felling of existing trees or hedgerows on site. However, it was identified in the consultation response from the Council's Greenspace Team that a condition would be appropriate to secure a full and detailed planting plan for the re-planned area of the site to show how the landscaping proposed will soften the impact of the proposed development.

As identified earlier within the 'Layout' section of this report the additional 23 dwellings are not considered to result in a significant deviation from the previously approved principles for the site under references AL/61/13/ and AL/102/17/RES therefore it is considered that the proposed alteration to the previously approved scheme will not result in unacceptably adverse harm to the established landscape character.

The development site features a total of approximately 2.13ha of open space provision on site. The Council have adopted an interim position in regards to open space which would require a total onsite provision of approximately 2.049ha of open space to meet the needs of the 291 dwellings proposed. Therefore, the open space provision on site exceeds the requirements for open space provision and as such is in accordance with policy OSR DM1 (2a) of the Arun Local Plan.

The wider site already incorporates a locally equipped area of play (LEAP), neighbourhood equipped area of play (NEAP) and pocket parks which are well located for access by future residents, with the large central green providing a focal point for the wider development site.

Additional financial contributions have also been secured towards playing pitches, multi-use games area (MUGA), Sports Halls, Swimming Pools and 3G Pitches in order to mitigate the impact of the additional 23 dwellings upon existing sport and leisure facilities.

Therefore, the proposed development is deemed to accord with policies LAN DM1, ENV DM4 and OSR DM1 of the Arun Local Plan.

RENEWABLE ENERGY

Policy ECC SP2 of the Local Plan identifies that major development must produce 10% of the total predicted energy requirements from renewable or low carbon energy generation on site, unless it can be demonstrated that this is unviable. A condition has been included with this recommendation report requiring the submission of details for approval by the Local Planning Authority as to how this will be achieved on site.

Policy QE DM3 (c) of the Arun Local Plan requires the inclusion of on site electric car charging points to encourage the use of cleaner transports fuels. The sale of new petrol and diesel vehicles will cease from 2040 and in order to mitigate the impact of this upon future residents a condition has been included requiring the provision of electric vehicle charging points to serve each dwelling.

EDUCATION

In the determination of the original outline permission a financial contribution of £554,654 was secured towards primary education provision. At the time of determination for the outline approval (AL/61/13/) no contribution was sought towards secondary or sixth form education. However, it has been confirmed by WSCC that it will be necessary for the impact of the additional units upon education provision to be appropriately mitigated.

Given that a financial contribution has already been secured to mitigate the impact of the previously approved 268 dwellings it will only be necessary to mitigate the additional impact that this re-plan of the northern parcel will have upon education. It has been calculated that the re-plan will result in a population increase of 48.3 which will result in an increase in child product beyond that already considered, mitigated and approved under reference AL/61/13/. The additional child product (ACP) generated by this application has been calculated as follows;

Primary - 4.7334 ACP

Secondary - 3.381 ACP

Sixth Form - 0.7303 ACP

Therefore, having applied the per pupil financial contribution to the additional child product generated by the proposed re-plan the following financial contributions have been identified as necessary to mitigate the impact of development upon existing facilities:

Primary - $4.7334 \times £18,370 = £86,952.56$

Secondary - $3.381 \times £33,538 = £113,391.98$

6th Form - $0.7303 \times £30,019 = £21,922.88$

Subject to these financial contributions being secured via s106 agreement it is considered that the development will have adequately mitigated its impact upon education provision. Full details of the contribution can be found in the heads of terms at the end of the recommendation report.

INFRASTRUCTURE AND S106

In accordance with policy INF SP1 the Local Planning Authority will support development proposals which provide or contribute towards the infrastructure and services needed to support development to meet the needs of occupiers and users and the development.

The original S106 signed in support of outline approval AL/61/13/ secured a total financial contribution of £1,443,733 for the 268 dwelling scheme. The contributions secured for the additional 23 dwellings proposed by this application will total £552,892.

The contributions secured will consist of proportional contributions towards the following:

Primary Education
Secondary Education
Further Education
Library Services
Fire & Rescue
NHS
Public Art
MUGA
Sports Pitches
3G Artificial Pitch
Swimming Pools
Sports Halls
Controlled Crossing
Public Transport
Footpaths and Cycleways
A29 Re-alignment

Therefore, subject to the completion of the S106 agreement the proposed development will provide contributions towards the infrastructure and services needed to support development and meet the needs of future occupiers of the site in accordance with policy INF SP1 of the Arun Local Plan. The full heads of terms can be found at the end of this recommendation report setting out the specific financial contributions to be secured.

The contributions identified as necessary and to be secured as part of the S106 agreement are considered to be necessary, directly related to the development and reasonable in scale and kind. Therefore, the proposed contributions would accord with the Community Infrastructure Levy Regulations.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval subject to the proposed conditions and completion of the S106 agreement.

HUMAN RIGHTS ACT

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

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the

following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

APPROVE CONDITIONALLY 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:

- Site Location Plan - NNRP-MCB-ZZ-ZZ-DR-Z-0200-D5-P3
- Site Layout Plan - NNRP-MCB-ZZ-ZZ-DR-A-0230-P8
- External Materials and Boundary Treatments Plan - NNRP-MCB-ZZ-ZZ-DR-A-0231-P5
- Surface Materials Plan - NNRP-MCB-ZZ-ZZ-DR-A-0232-P5
- Affordable Tenure Plan - NNRP-MCB-ZZ-ZZ-DR-A-0233-P5
- Parking Strategy Plan - NNRP-MCB-ZZ-ZZ-DR-A-0234-P5
- Refuse Management Plan - NNRP-MCB-ZZ-ZZ-DR-A-0235-P5
- Site Layout Plan (Wider Context) - NNRP-MCB-ZZ-ZZ-DR-A-P2
- Illustrative Streetscenes - NNRP-MCB-ZZ-ZZ-DR-A-0260-P4
- PA34 & PT36 - NNRP-MCB-ZZ-ZZ-DR-A-0105-P2
- PA34 Pair - NNRP-MCB-ZZ-ZZ-DR-A-0106-P2
- PA34 Triple - NNRP-MCB-ZZ-ZZ-DR-A-0107-P1
- PA34 Triple Elevations - NNRP-MCB-ZZ-ZZ-DR-A-0108 -P1
- NA21 - NNRP-MCB-ZZ-ZZ-DR-A-0109-P2
- PT36 - NNRP-MCB-ZZ-ZZ-DR-A-0110-P2
- PT36 - NNRP-MCB-ZZ-ZZ-DR-A-0111-P3
- PT37 - NNRP-MCB-ZZ-ZZ-DR-A-0112-P4
- PT37 - NNRP-MCB-ZZ-ZZ-DR-A-0113-P4
- PT37 - NNRP-MCB-ZZ-ZZ-DR-A-0114-P4
- NA42 - NNRP-MCB-ZZ-ZZ-DR-A-0115-P3
- NA42 Pair - NNRP-MCB-ZZ-ZZ-DR-A-0116-P2
- NA42 Pair Elevations - NNRP-MCB-ZZ-ZZ-DR-A-0117-P2
- NT40 - NNRP-MCB-ZZ-ZZ-DR-A-0118-P3
- NT40 - NNRP-MCB-ZZ-ZZ-DR-A-0119-P3
- NA44 - NNRP-MCB-ZZ-ZZ-DR-A-0120-P3
- NA44 - NNRP-MCB-ZZ-ZZ-DR-A-0121-P1
- NT41 - NNRP-MCB-ZZ-ZZ-DR-A-0122-P2
- NA32 Pair - NNRP-MCB-ZZ-ZZ-DR-A-0123-P1
- NA32 Pair Elevations - NNRP-MCB-ZZ-ZZ-DR-A-0124-P1
- NA32 Triple - NNRP-MCB-ZZ-ZZ-DR-A-0125-P1
- NA32 Triple Elevations - NNRP-MCB-ZZ-ZZ-DR-A-P1
- NT41 (Tile hanging) - NNRP-MCB-ZZ-ZZ-DR-A-0127-P1
- NA42 Elevations - NNRP-MCB-ZZ-ZZ-DR-A-0128-P1
- NA42 (Front Gable) - NNRP-MCB-ZZ-ZZ-DR-A-0129-P1
- NA30 Pair - NNRP-MCB-ZZ-ZZ-DR-A-0130-P2

- NA30 Triple - NNRP-MCB-ZZ-ZZ-DR-A-P2
- NA30 Triple Elevation - NNRP-MCB-ZZ-ZZ-DR-A-0132-P2
- Single Garage - NNRP-MCB-ZZ-ZZ-DR-A-0150-P1
- Single Garage Side Gable - NNRP-MCB-ZZ-ZZ-DR-A-0151-P1
- Double Garage Two Owners - NNRP-MCB-ZZ-ZZ-DR-A-0152-P1
- Substation - NNRP-MCB-ZZ-ZZ-DR-A-0153-P1
- Garage and Car Barn - NNRP-MCB-ZZ-ZZ-DR-A-0154-P1
- External Works Layout Sheet 1 - 5655:40 Rev E
- External Layout Sheet 2 - 5655:41 Rev E

The following plans are approved in so far as they relate to foul drainage only:

- Engineering Layout Sheet 1 - 5655:01 Rev T
- Engineering Layout Sheet 2 - 5655:02 Rev T

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 dwelling shall be first occupied until the car parking serving the respective dwelling has been constructed in accordance with the approved site plan. Once provided the spaces shall thereafter be retained at all times for their designated purpose.

Reason: To ensure that adequate car parking provision is available on site to serve the needs of the development in accordance with policy T SP1(d) of the Arun Local Plan.

- 4 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 provide alternative travel options to the use of motorised vehicle in accordance with current sustainable transport policies and policy T SP1 of the Arun Local Plan.

- 5 Prior to the occupation of any dwelling hereby approved a Soft Landscaping Plan and Landscape and Ecology Management Plan (LEMP) shall be submitted and approved by the Local Planning Authority providing details for the on-going management and aftercare of the site once construction is completed.

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

- 6 Development shall not commence for any dwelling hereby approved, the mitigation strategy for bats shall be implemented in accordance with the details specified within the 'Updated Bat Survey (August 2017)'.

Reason: This condition is necessary to ensure the protection of bats and supporting habitat in accordance with Policy ENV SP1 and ENV DM5 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because of the need to ensure measures are in place to protect reptiles and their habitat on site prior to any disturbance.

- 7 Prior to the occupation of any dwelling hereby approved, a scheme for external lighting for that phase shall be submitted and approved in writing by the Local Planning Authority. The scheme shall ensure that the lighting is sensitive to bats by minimising the lighting of the woodland along the northern and western boundaries and shall comply with Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light, Obtrusive Light Limitations for Exterior Lighting Installations for Zone E2.

Reason: To control the residential amenities of the local environment in accordance with Policies D DM1 and QE DM2 of the Arun Local Plan.

- 8 Development shall not commence for any dwelling hereby approved, the mitigation strategy for dormice shall be implemented in accordance with the details specified within the 'Dormouse Mitigation Strategy (September 2017)'.

Reason: This condition is necessary to ensure the protection of reptiles and supporting habitat in accordance with Policy ENV SP1 and ENV DM5 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because of the need to ensure measures are in place to protect reptiles and their habitat on site prior to any disturbance.

- 9 Prior to the commencement of development for the dwellings hereby approved, an Ecological Enhancement Scheme shall be submitted to and approved in writing by the local planning authority. The development shall be implemented and maintained in accordance with the approved scheme and a programme of implementation.

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat in accordance with policy ENV SP1 and ENV DM5 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because of the need to ensure measures are in place to protect wildlife and supporting habitat on site prior to any disturbance taking place.

- 10 Development shall not commence for any dwelling hereby approved, until such time as a Construction Management Plan shall be submitted for approval in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period of that phase. 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,
- Full details of the construction compound,
- Soil resources plan,
- Dust mitigation measures,
- Noise reduction measures,
- 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 effective 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 D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because of the safety and amenity issues that need to be addressed.

- 11 During the construction phase no machinery/vehicles or plant shall be operated on the site, no process shall be carried out and no deliveries taken at or dispatched except between the hours of:

8.00 a.m. and 6.00 p.m. on Mondays to Fridays inclusive
9.00 a.m. and 1.00 p.m. on Saturday

Not at any time on Sundays or Public Holidays

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

- 12 No raw materials, finished or unfinished products or parts, crates, packing materials or waste shall be stacked or stored on the site except within the storage areas identified in the Construction Management Plan at any time approved by the Local Planning Authority.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy D DM1 of the Arun Local Plan.

- 13 Prior to commencement of development for the dwellings hereby approved the applicant shall prepare and submit for approval an Employment and Skills Plan for the construction of each phase of the development. Following approval of the Employment and Skills Plan the developer will implement and promote the objectives of the approved plan.

Reason: In accordance with Policy SKILLS SP1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to as it relates to the construction phase of development.

- 14 Development shall not commence for any dwelling hereby approved, until such time as a strategy for the provision or facilitation of broadband provision to future occupants of the site in that phase shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling hereby approved, either a landline or ducting to facilitate the provision of a 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 shall be carried out in accordance with the approved strategy.

Reason: To ensure that the needs of future residents to connect to the internet does not necessarily entail engineering works to an otherwise finished and high quality living environment in accordance with Policy TEL SP1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the provision of broadband needs to be incorporated into the design for the site.

- 15 Development shall not commence for any dwelling hereby approved, until such time as an Electric Vehicle Charging Strategy will be submitted to and approved by the Local Planning Authority. The Electric Vehicle Charging Strategy shall identify the nature, form and location of electric charging infrastructure to be provided across the development. The electric vehicle strategy shall then be implemented in accordance with the approved details and maintained in perpetuity.

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 D DM1 and Policy QE DM3 (c) of the Arun Local Plan and the NPPF. It is considered necessary for this to be a pre-commencement condition to ensure that the requisite charging infrastructure is designed into the housing development and it is implemented.

- 16 At least 10% of the total predicted energy requirements for the development (taking into account energy efficiency measures) will be generated through renewable or low carbon energy generation on site. The Local Planning Authority will consider 'allowable solutions'

where it is clearly demonstrated that the provision of on-site renewable or low carbon energy generation is unviable or not feasible and where equivalent energy savings can be demonstrated.

Details and a timetable of how this is to be achieved for the development hereby approved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority before development of the dwellings hereby approved commences. The development shall be implemented in accordance with the approved details and timetable and will be 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. It is considered necessary for this to be a pre-commencement condition to ensure that the requisite infrastructure is designed into the housing development.

- 17 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.

- 18 Development shall not commence for any dwelling hereby approved, until such time as a scheme for the removal or the long-term management and control of Japanese Knotweed on the site is submitted to and approved in writing by the Local Planning Authority. The scheme shall be undertaken in accordance with the approved details and a programme of implementation.

Reason: 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.

- 19 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. The scheme shall thereafter be maintained 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.

- 20 Development shall not commence for any dwelling hereby approved, 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. 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.

- 21 Development shall not commence for any dwelling hereby approved, 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.

- 22 Development shall not commence for any dwelling hereby approved, 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.

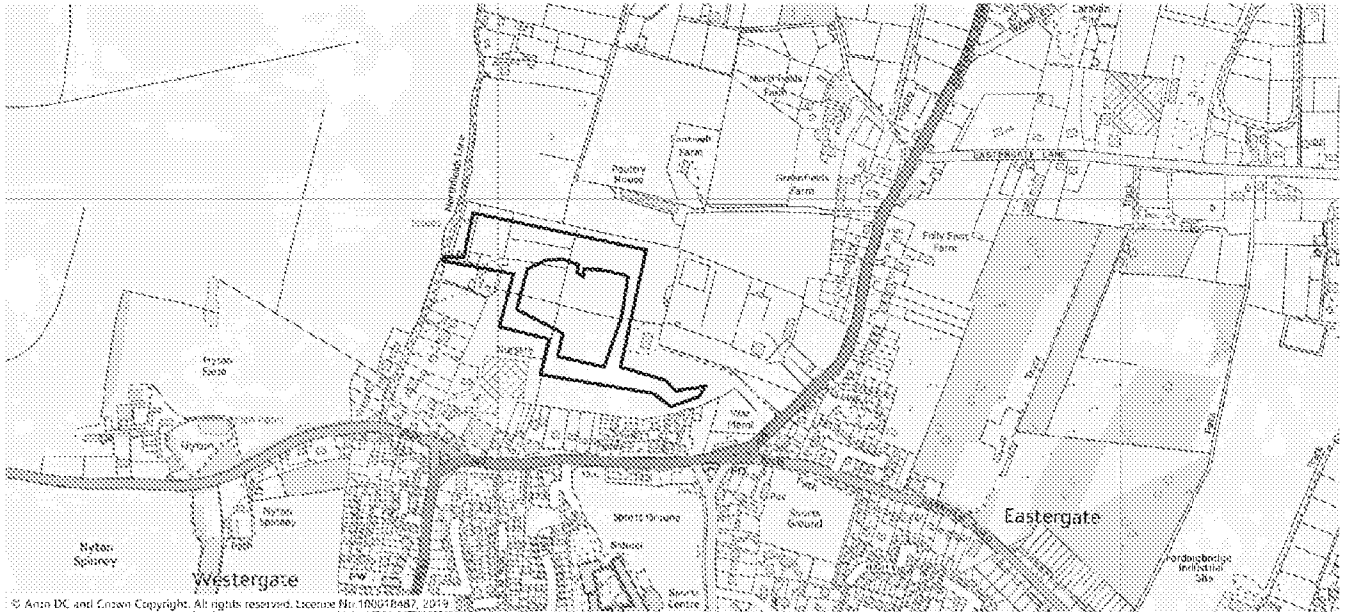
- 23 **INFORMATIVE:** Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and 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.

- 24 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.
- 25 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>.
- 26 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

AL/3/19/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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100018487. 2015

HEADS OF TERMS

AL/3/19/PL

Financial obligation(s) summary or change	Trigger Point	Amount	Due to (ADC, WSCC, NHS, other)	Destination/ project	Spend by restriction
Education Primary	TBC by WSCC	£86,952.56	WSCC	Contributions shall be spent on additional equipment at Eastergate CofE Primary School.	Ten (10) years of the date of receipt of final instalment of the Contribution
Education Secondary	TBC by WSCC	£113,391.98	WSCC	Contributions generated by this proposal shall be spent on fixtures, fittings and equipment at phase 1 of a new secondary school for Arun.	Ten (10) years of the date of receipt of final instalment of the Contribution
Education Sixth Form	TBC by WSCC	£21,922.88	WSCC	The contributions generated by this proposal shall be spent on class room infrastructure at St Phillip Howard Catholic High School Sixth Form.	Ten (10) years of the date of receipt of final instalment of the Contribution
Libraries	TBC by WSCC	£9,102	WSCC	Contributions shall be spent on additional equipment for a new Tier 7 facility serving Barnham/Eastergate/Westergate	Ten (10) years of the date of receipt of final instalment of the Contribution
Fire & Rescue	TBC by WSCC	£725	WSCC	Contribution to be used towards the supply and installation of community link smoke detectors to vulnerable persons homes in West Sussex Fire Services Northern Area serving Aldingbourne.	Ten (10) years of the date of receipt of final instalment of the Contribution
WSCC Highways	TBC by WSCC	£207,989	WSCC	Contribution towards the A29 realignment.	Ten (10) years of the date of receipt of final instalment of the Contribution
Public Transport Contribution	TBC by WSCC	£4,664.18	WSCC	Contribution towards public transport infrastructure improvements (including real time information screens and improved passenger waiting facilities at bus stops close the site).	Ten (10) years of the date of receipt of final instalment of the Contribution
Footpaths and Cycleways	TBC by WSCC	£21,455	WSCC	Contributions towards the construction of the proposed Eastergate to Barnham cycle/pedestrian link.	Ten (10) years of the date of receipt of final instalment of

					the Contribution
NHS	To be paid to ADC upon commencement of the development	£54,419	ADC	Financial contribution towards the provision of healthcare facilities in the district of Arun including an extension to the Croft GP Surgery, Barnham Road, Eastergate.	Ten (10) years of the date of receipt of final instalment of the Contribution
Playing Pitches	To be paid to ADC on first occupation of the development.	£5,583	ADC	Contribution towards the enhancement of existing playing pitch facilities within the locality of the site. Exact wording to be confirmed.	Ten (10) years of the date of receipt of final instalment of the Contribution
Sports Halls	To be paid to ADC on first occupation of the development.	£9,085	ADC	Contribution towards the provision or improvement of public sports halls within the district of Arun. Exact wording to be confirmed.	Ten (10) years of the date of receipt of final instalment of the Contribution
Swimming Pools	To be paid to ADC on first occupation of the development.	£9,775	ADC	Financial contribution towards the provision or improvement of public swimming pools within the District of Arun. Exact wording to be confirmed.	Ten (10) years of the date of receipt of final instalment of the Contribution
Artificial Pitches	To be paid to ADC on first occupation of the development.	£1,334	ADC	Financial contribution towards (specific project) to support provision of 3G playing pitches in the western area of the District. Exact wording to be confirmed.	Ten (10) years of the date of receipt of final instalment of the Contribution
MUGA Contribution	To be paid to ADC on first occupation of the development.	£4,600	ADC	Contribution towards the delivery of a multi-use games area at Aldingbourne Community Sports Centre or such other site as may be agreed by ADC. Exact wording to be confirmed.	Ten (10) years of the date of receipt of final instalment of the Contribution
Public Art	To be paid to ADC on first occupation of the development.	£1,287	ADC	Contribution towards the provision of public art within the District of Arun.	Ten (10) years of the date of receipt of final instalment of the Contribution
Affordable Housing		7 affordable units accounting for 30% of the additional 23 dwellings proposed by this development.	ADC	Cascade agreement: Option 1: Onsite delivery Option 2: Onsite Delivery to a different provider. Option 3: Commuted sum	

NON-FINANCIAL Obligation Summary	Trigger Point	Due To (ADC, WSCC, Other)	Department/Officer to Confirm Compliance

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PLANNING APPLICATION REPORT

REF NO: AL/32/19/OUT

LOCATION: Wings Nursery
Lidsey Road
Woodgate
PO20 3SU

PROPOSAL: Outline application with some matters reserved for the erection of 55 No. dwellings, access arrangements, sustainable drainage measures, public open space, landscaping & all other associated works (resubmission following AL/115/17/OUT). This application is a Departure from the Development Plan.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks outline permission for 55 dwellings with the only matter being approved being access of which two are proposed - one to the south of Wings and one to the north.
SITE AREA	2.6 hectares
RESIDENTIAL DEVELOPMENT DENSITY	21.15 per hectare
TOPOGRAPHY	Predominantly flat.
TREES	Some significant trees on the site/nearby - these are considered later in the report. A tree preservation order has been made during the application process.
BOUNDARY TREATMENT	Various - including post and rail fencing to the front and hedging/trees of various heights to other boundaries.
SITE CHARACTERISTICS	Grassland over majority of site with a glasshouse to the south east corner which can be viewed from the highway.
CHARACTER OF LOCALITY	The site lies to the west of the A29 Lidsey Road. The houses opposite are generally low scale semi-detached bungalows. The character is rural and this is evidenced by the land uses to the west. There are a number off detached dwellings on the southern boundary and a dwelling "Wings"

RELEVANT SITE HISTORY

AL/15/55	Layout For 33 Dwellings	Refused 22-06-55
AL/115/17/OUT	Outline application with some matters reserved for the erection of 55 No. dwellings, sustainable drainage measures, public open space, children's play area,	Refused 08-08-18

landscaping & all other associated works. This application is a Departure from the Development Plan

A similar application A/115/17/OUT was refused in 2018.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldingbourne Parish Council:

Aldingbourne Parish Council will be advancing this site as part of the Neighbourhood Plan revisions.

Walberton Parish Council:

As Aldingbourne Parish Council are now considering this development as part of their Neighbourhood Plan, Walberton Parish Council's position is neutral in line with Aldingbourne.

3 letters of objection:-

- Objection to proposed extension of pathway on opposite side of the road from the Willows caravan site to Lee's Yard and to the proposed relocation of the bus stop. This is a minor element but the loss of this green roadside verge would have a negative impact on the current semi-rural aspect of this part of Woodgate village.
- The current bus stop is little used, with buses rarely needing to stop and are only scheduled up to six times on a weekday, five on a Saturday with no buses on a Sunday. When the A29 realignment is completed there is likely to be a reduction or cessation of buses passing along this route. The concreting over of a green roadside verge and transfer of a little used bus stop provides little or no benefit to the area or proposal.
- Not in the Aldingbourne Neighbourhood Plan.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. The repositioning of the bus stop is acceptable to the Highway Authority.

The site has been allocated for residential development in the emerging Aldingbourne Neighbourhood Development Plan.

CONSULTATIONS

Engineers (Drainage)
Engineering Services Manager
Southern Water Planning
Arboriculturist
Planning and Housing Strategy
Parks and Landscapes
WSCC Strategic Planning
Highways England

Ecology Advisor
Environmental Health
Surface Water Drainage Team
NHS Coastal West Sussex CCG
Sussex Police-Community Safety
Network Rail

CONSULTATION RESPONSES RECEIVED:

County Highways:-

This application appears identical to AL/117/17/OUT. The comments made previously by the CHA in its consultation response of 18th May 2018 stand with the only exception being to the contribution amount required towards infrastructure for the BEW Strategic Allocation.

Summary position.

No objection to the proposal. In light of the BEW proposals forming part of the Strategic Allocation for the Barnham - Eastergate - Westergate area and consideration of additional information, it would be difficult to resist this application as it is so close. It provides localised highway improvements to assist with access to the development and a contribution towards strategic infrastructure to support the aforementioned Strategic Allocation. Any permission should, be subject to the agreed mitigation and other improvements being secured by S106 Agreement and suitable planning conditions being attached to any consent granted.

Vehicular access to the site is shown taken from two points - one to serve 4 homes and the other the remainder of the 55 homes. The northern-most part of the site is approximately 90m south of a railway level crossing. Access to the 4 houses is approximately 100m south of the railway, whereas the site access serving the remaining 51 would be approximately 220m away from the crossing. Footways are shown either side of the main access with the secondary access serving the four units being designed as a private drive with highway users sharing the available space.

Residents of the new estate, when emerging, might have to wait at the junction to turn left (north) out of Woodgate Close onto the A29 if a queue of traffic resulting from the railway crossing prevailed. Given traffic movements are likely to be generally moderate to low during busy times, incidences of this are not likely to be frequent. Even if they did, it would not necessarily be down to poor junction design.

Considering such impacts at the accesses alongside the NPPF, it is concluded any detriment to movement cannot be considered severe on this occasion - subject of course to all Stage 1 Road Safety Audit recommendations being adhered to. Specifically with regard to the secondary access, the applicant has enlarged turning space within the communal driveway area and a 'KEEP CLEAR' marking is to be painted on the carriageway on the northbound carriageway adjacent - both to be attended to at any detailed design stage following any grant of planning permission.

Trip generation.

Vehicle trip generation

- Morning peak period (08:00-09:00) - 9 arrivals; 20 departures
- Evening peak period (17:00-18:00) - 21 (+2) arrivals; 13 departures
- Daily - 130 (+2) arrivals; 131 (+4) departures (Total - 261 approx.)

This level of additional traffic using the site access and Lidsey Road would not itself normally generally

trigger the need to consider junction upgrading on the adjacent road (i.e. right hand turning lane). Given the issues referred to in this report as a consequence of the railway crossing, this makes it necessary to ensure an appropriately designed turning lane and 'KEEP CLEAR' markings be provided at the main access and 'KEEP CLEAR' marking at the secondary access in an attempt to minimise congestion on the A29 at the site and close to the railway crossing.

Impact of railway crossing on traffic queues.

Delays of over two minutes begin to have a negative effect on driver state of mind and tolerance, while delays of over three minutes may lead to adoption of behaviours such as 'u' turning and overtaking (the latter to reach a certain destination and to avoid waiting in a queue) - again a consideration for this application given the queues brought about by the railway crossing closures. Such delays might be classed as severe, typically requiring traffic management measures in an attempt to mitigate.

Paras 60-64 of the Inspector's Appeal Decision Notice for AL/69/11 for the nearby Woodgate Centre included discussion and conclusions about the impact of the development on queuing. Paragraph 60 states the likely impact of 100 homes (the subject of that application) would increase peak queues by about seven vehicles, or about 40m in length. The result would then be instead of a single vehicle waiting to cross the railway when the gates rise there would be three or four. However, at that time, the Inspector concluded that the impact in vehicular terms could not be considered severe. Upon re-visiting this information and based on the Wings Nursery site proposing less dwellings (55 compared to 85), the Highway Authority concurs with the Inspector's conclusion for the Woodgate Centre - essentially that the vehicular impact of the development in the locality, whilst resulting in some conflict with the Framework, could not be classed as severe.

Transport Sustainability.

In terms of transport sustainability, the site is on the edge of the settlement boundary and some distance from the nearest railway station at Barnham. The level of bus service passing the site is also limited and the main cycle and pedestrian routes are along the busy A29.

Bus Services - Bus stops are located immediately outside the site. Both the north and southbound stops are directly opposite one-another. The applicant proposes facilities to assist pedestrians crossing to and from them (and improvements to the stops themselves).

Cycling - In response to current limitations for walking and cycling, the applicant is offering improvements in the form of a widened footway on the western side of the road between the main site access up-to the start of the car park serving the Prince of Wales Public House. On the eastern side of the road, the applicant proposes a new footway running from the junction with Willows Caravan Park running south to connect to Lee's Yard. Alongside this, opportunities to cross the road in the form of pedestrian ramps with tactile paving are also offered.

Rail - The nearest railway station to the proposed development is located in Barnham, approximately 4km away by road. It is possible to walk to the station and the route (as the crow flies) is shorter but this does involve users to walk along a series of largely rural footpaths. As for the walking/cycling comments made above, improvements to access to the station will present themselves as part of the nearby BEW Strategic Allocation as proposed in the emerging Arun Local Plan. Footway widening and extension of a footway to Lee's Yard (one of the closest employment centres) is proposed and will be secured by S106 Agreement.

Conclusion. No objection subject to the following S106:

- Widened footway on western side of the A29 from the main (southern) site access up-to the southern

edge of the car park serving the Prince of Wales Public House

- Footway on east side of road taken from junction of Willows Caravan Park access road to Lee's Yard
- Strategic Infrastructure Contribution (amount TBA)
- Bus stops, shelters and real-time passenger information contribution (and/or works)
- Travel Plan
- Cycle stands adjacent to nearby convenience store
- Contributions towards other non-highways infrastructure - education, libraries etc.

County infrastructure:-

It appears at present primary/secondary/further secondary schools within the catchment area of the proposal would not have spare capacity and would not be able to accommodate the children generated by the assumed potential residential development. Contributions need to be requested. The situation will be monitored and further advice on the main education sectors, (i.e. Primary/Secondary/Further Secondary) should be sought if this planning application is to be progressed.

Primary Financial Contribution - The primary contributions generated by this proposal shall be spent on additional facilities at Aldingbourne CofE Primary School.

Secondary Financial Contribution - The secondary contributions generated by this development will be spent on fixtures, fittings and equipment for phase 2 of the new secondary school serving Arun.

Further Secondary Financial Contribution - The contributions generated by this proposal shall be spent on a restructure of the sixth form to cater for the additional student population at St Philip Howard Catholic High School Sixth Form.

Library Infrastructure Contribution - A scheme is approved to provide additional floorspace or facilities at Bognor Regis library. A financial contribution towards the approved scheme would be required in respect of the extra demands for library services that would be generated by the proposed development.

Fire & Rescue Service Infrastructure - The development should contribute towards the cost of necessary infrastructure needed to support development. 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 Aldingbourne.

Sussex Police - No objection - detailed comments about design/layout and "Secure by Design" shown

Tree officer - Awaited

Southern Water - Awaited

NHS - No objection subject to s106 of £54,557 for The Croft GP surgery" for the infrastructure needs of managing "on the day demand".

West Sussex Flood risk management - Current surface water mapping shows the site is at low risk from surface water flooding. Any existing surface water flow paths across the site must be maintained or appropriate mitigation strategies proposed.

Wholesale site level rise via the spreading of excavated material should be avoided.

The majority of the development is shown to be at high risk from ground water flooding based on the current mapping. Where the intention is to dispose of surface water via infiltration/soakaway, these

should be shown to be suitable through an appropriate assessment carried out under the methodology set out in BRE Digest 365 or equivalent.

The FRA proposes that sustainable drainage techniques (permeable paving, attenuation with a discharge to the watercourse) would be used to control the surface water from this development. As indicated by the District Engineer, groundwater monitoring should be shown to have been fully investigated across the whole site.

Ecologist - Due to the presence of foraging and commuting bats onsite, we are satisfied that the mitigation proposed within section 6 for the Bat Emergence Survey Reports (Oct 2017) and a condition should be used to ensure this takes place.

Require that bat tiles/bricks are included within the construction of the homes on-site. The lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should 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 scrub, hedgerow and tree habitat found on the south and west boundaries of the site will need to be retained and protected. This will include having a buffer strip around the areas (5m) and during construction fencing should be used to ensure this area is undisturbed.

Following submission of the Reptile Survey Report (October 2017), we are happy that the mitigation proposed would be suitable. A condition should be used to ensure this takes place.

We require that initially a Habitat Suitability Index assessment is done for Greater Crested Newts, and depending on the findings further activity surveys may be required.

Prior to start on site a badger survey should be undertaken to ensure badgers are not using the site. If a badger sett is found onsite, Natural England should be consulted and a mitigation strategy produced.

Full details on how the habitats and enhancements onsite will be managed during the construction phase and post construction will need to be included within the Construction Environmental Management Plan (CEMP) and Landscape and Management Plan (LEMP) as part of a reserve matters application.

We would like to see a number of enhancements incorporated within the scheme including;

- Any trees removed should be replaced at a ratio of 2:1
- Hedgerows should be retained
- Wildlife pond
- Wildflower meadow planting used
- Filling any gaps in tree lines or hedgerows with native species
- Bat and bird boxes installed on the site
- Grassland areas managed to benefit reptiles.
- Log piles onsite
- We require that gaps are included at the bottom of the fences to allow movement of small mammals across the site

Housing Strategy and Enabling - No objection. The applicants are proposing to provide 18 dwellings for affordable housing which meets this specific policy requirement. The Council's Affordable Housing policy requires a tenure split of 75% rented and 25% intermediate housing.

With reference to the 'Provision of Accommodation suitable for older people and people with disabilities', agreed at the Planning Policy sub-committee 27th February 2019, the Council's policy is that for

schemes greater than 51 units - 50% of units should be designed to m4(2) standard and 4 designed to m4(3) wheelchair accessible. The expectation would therefore be that a minimum of 9 of the affordable dwellings be designed to m4(2) and that an additional 1 affordable dwelling be designed to m4(3).

To meet the requirements of the council's Affordable Housing policy the applicants will need to provide 14 x rented and 4 x intermediate homes. Given the high need for 2 bedroom accommodation the Council welcomes the predominance of 2 bedroom dwellings.

Highways England - The Arun Local Plan is adopted and contains agreed highway mitigations for the impacted A27 junctions resulting from the strategic development sites. The agreed A27 highway mitigations are to be funded from developer contributions. Further housing, even relatively small allocations, depending on its location, could have a cumulative impact on the A27 junctions as well as the local highway network, which may need associated mitigation. The council is advised that it may wish to consider requesting an appropriate proportional contribution from this particular site towards mitigation at the A27 junctions. Otherwise, Highways England is satisfied that the proposals will not materially affect the safety, reliability and / or operation of the Strategic Road Network in this location and our formal response of No Objection is attached.

Network Rail - Comment awaited

Environmental Health - Comment awaited

Engineers - No objection subject to conditions.

The site has ordinary watercourses running along the eastern and western boundaries, easement to watercourses must be provided. Any proposed culverting to provide access would require consent. If discharge to watercourse is proved to be required it will need to be demonstrated that the downstream watercourse is in an appropriate condition to receive these flows.

The documents submitted in support of this application suggest that the proposed means of surface water drainage is through an attenuated discharge to a local watercourse. Infiltration testing must be completed to support the ruling out of infiltration, this infiltration testing should include testing at shallow depths appropriate for permeable paving.

The surface water drainage scheme design should follow the hierarchy of preference as set out in Approved Document H of the Building Regulations and the SuDS Manual produced by CIRIA. Therefore the potential for onsite infiltration should be investigated and backed up by winter groundwater monitoring and winter infiltration testing. Groundwater monitoring results will also be required if attenuation is proposed to ensure that the risks of flotation are adequately accounted for in design.

If on-site infiltration is to be utilised, any soakage structures should not be constructed lower than the peak groundwater level. If on-site infiltration is not possible, drainage via a restricted discharge to a suitable local watercourse may be acceptable.

Surface water drainage features should be designed in a manner that positively affects the amenity of the site. Open features, such as swales, basins and ponds, when designed correctly, can satisfy all the above aspirations in addition to; being easier to maintain, having longer lifespans and offering ecological advantages over subterranean features such as "plastic crate systems". The design should reflect natural catchments present, ground raising or pumping are not sustainable solutions and are not supported by us.

Parks and Landscapes - No comments have been received but other developments are contributing to

an off-site multi-use games area (MUGA) at the Aldingbourne Sports and Community Centre . The scheme is not fully funded and it is considered that this proposal will generate a need for off site play facilities. Given other contributions already committed/under negotiation the proposed contribution from this scheme would be £200 per dwelling.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted - where relevant the conditions and s106 contribution requests will be attached as conditions/included in the s106. None of the consultees raise an objection to the scheme.

POLICY CONTEXT

Designation applicable to site:
Outside built up area boundary
A class road

DEVELOPMENT PLAN POLICES

Arun Local Plan 2011 - 2031:

AHSP2	AH SP2 Affordable Housing
ECCSP1	ECC SP1 Adapting to Climate Change
HERDM6	HER DM6 Sites of Archaeological Interest
HORDM1	HOR DM1 Horticulture
HSP2C	H SP2c Inland Arun
INFSP1	INF SP1 Infrastructure provision and implementation
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
HDM1	H DM1 Housing mix
HSP1	HSP1 Housing allocation the housing requirement
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QEDM3	QE DM3 Air Pollution
QEDM4	QE DM4 Contaminated Land
QESP1	QE SP1 Quality of the Environment
SODM1	SO DM1 Soils
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems

Aldingbourne Neighbourhood Plan 2016 POLICY Retention of employment land
EE2

Aldingbourne Neighbourhood Plan 2016 POLICY EH1	Resist development outside
Aldingbourne Neighbourhood Plan 2016 POLICY EH10	Unlit village status
Aldingbourne Neighbourhood Plan 2016 POLICY EH3	Best and most versatile resisted unless...
	Development on Agricultural Land
Aldingbourne Neighbourhood Plan 2016 POLICY EH5	Development in Flood risk areas will not be supported unless...
	Surface Water Management
Aldingbourne Neighbourhood Plan 2016 POLICY EH6	Protection of trees and hedgerows
Aldingbourne Neighbourhood Plan 2016 POLICY GA1	Promoting Sustainable movement
Aldingbourne Neighbourhood Plan 2016 POLICY GA3	Parking and new development
Aldingbourne Neighbourhood Plan 2016 POLICY H1	New housing or altering dwellings
	Quality of Design
Aldingbourne Neighbourhood Plan 2016 POLICY H2	Range of house types
	Housing Mix
Aldingbourne Neighbourhood Plan 2016 POLICY H3	Housing density
Aldingbourne Neighbourhood Plan 2016 POLICY H4	10 or more to include 40% unless unviable
	Affordable Housing
Aldingbourne Neighbourhood Plan 2016 POLICY H9	Items to consider e.g. - bin stores
	Attention to detail

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD1	Open Space & Recreation Standards
SPD3	Parking Standards
SPD6	Archaeology

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.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

The relevant policies within the Aldingbourne Neighbourhood Development Plan and Regulation 14 pre-examination Aldingbourne Neighbourhood Development Plan have been considered in the preparation of this report.

Section 38 (5) of the Planning and Compulsory Purchase Act 2004, states: "If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document". Any conflict between the ANDP and the Arun Local Plan, should be resolved in favour of the latter.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal is considered to conflict with relevant Development Plan policies in that the site lies outside the built-up area boundary where development or redevelopment is generally not acceptable.

OTHER MATERIAL CONSIDERATIONS

Other material consideration

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background as detailed in the Conclusion section. These are as follows:

- The National Planning Policy Framework (NPPF) and associated guidance particularly in respect of Sustainable Development;
- The site being allocated in the emerging changes to the Aldingbourne Neighbourhood Development Plan;
- The Councils' 2019 HELAA which assessed the site (ref 32) as being deliverable and noted the site is considered to be a suitable site as there are no major constraints to overcome;
- The result of the Governments 2018 Housing Delivery Test which states Arun have underdelivered on its housing targets and recommends an Action Plan be published to set out how delivery rates will be improved;
- Recent delays to the delivery of (and refusal of one such application) strategic housing allocations;

CONCLUSIONS

PROPOSAL & PRINCIPLE:

This is an outline application with means of access details only. An indicative layout plan has been submitted which demonstrates 55 dwellings can be provided together with access roads, footpaths, public open space, parking and landscaping.

The development plan for the Arun District currently comprises the Arun Local Plan 2011-2031, the Aldingbourne Neighbourhood Development Plan (2016) and the West Sussex Waste and Minerals Plans.

Arun Local Plan:

Amongst the key policy considerations in the determination of this application are considered to be H SP1, SD SP1, SD SP2 and C SP1 of the Arun Local Plan (ALP) 2011 - 2031.

Policy H SP1 "The Housing Requirement" sets out an overall provision of 20,000 new homes through the Local Plan phased over the plan period to 2031. It includes reference to additional non-strategic allocations being made across the District through reviews of Neighbourhood Plans and through the publication of a "Non-Strategic Site Allocations Development Plan Document (DPD)". Aldingbourne Parish Council are amending their Neighbourhood Plan and have proposed to allocate this site within the amended version.

Policy SD SP1 states the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). It will work to secure development that will contribute to the social, economic and environmental conditions south of the National Park through to the coast and throughout its settlements (both coastal and inland).

Policy SD SP2 "Built up Area Boundary" states outside the Built Up Area Boundary (BUAB), apart from strategic, site specific and other broad allocations, development will not be permitted unless consistent with other plan policies. Policy C SP1 "Countryside" states residential development in the countryside outside the BUAB will not be permitted unless in accordance with policies in the Plan which refer to a specific use or type of development.

The site lies outside the built up area boundary but does form an emerging Neighbourhood Plan allocation. The exception under C SP1 would not apply and the proposal would be contrary to ALP policies SD SP2 and C SP1.

Aldingbourne Neighbourhood Development Plan (ANDP):

ANDP was made (adopted) in 2016 on the basis of the saved policies in the 2003 Arun Local Plan and the emerging policies of Arun Local Plan.

Policy EH1 of the ANDP states that development within the built-up area boundary defined on Map E of the plan will generally be permitted. It goes on to state that proposals for development outside the built-up area boundary that do not accord with development plan policies in respect of the countryside will be resisted unless it is for essential infrastructure, where the benefits outweigh any harm and it can be demonstrated that no reasonable alternative sites are available.

Policy H1 of the emerging ANDP allocates the land subject to compliance with other plan policies and a contribution being made to the Aldingbourne Sports and Community Centre.

Map E on page 54 of the ANDP includes a BUAB drawn round the edge of the settlement. The BUAB in the ALP is different having been amended to include strategic allocation SD5 - commonly referred to as BEW and approved developments on Hook Lane and Nyton Road. Nevertheless, the application site

remains outside of the BUAB and is classified as countryside.

National Planning Policy Framework (NPPF):

The NPPF published in July 2018 is a material consideration in determining planning applications. It sets out a presumption in favour of approving sustainable development. At para 12, it is states:

"The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed."

Other Material Considerations:

The following sets out whether there are any material considerations which indicate that the proposal should be determined other than in accordance with the development plan.

(1) Sustainability:

The site is environmentally sustainable as it lies on the southern edge of Aldingbourne and it will be possible for residents to use non-car means of transport to access schools and other services. Pedestrians have the benefit of street lit pavement in the immediate vicinity of the site.

The proposal could help to support the local community by providing 55 dwellings with a mix of bedrooms (and the provision of affordable homes) to meet future needs. If approved the development would also be required to contribute towards infrastructure and local health service and as such there would be a further benefit to the local community.

The development will likely result in economic benefits to the local area.

(2) Site Location:

The BUAB in this part of Aldingbourne is drawn around land on the opposite site of the A29 to the site. On the western side of the site the BUAB finishes to the north of the railway line. There would be limited harm to the character of the countryside if the site was developed given the development opposite. It is not enough to simply refuse an application on the grounds of being in the countryside and it is necessary to identify the harm.

(3) 2017 HELAA Report:

The HELAA report republished in February 2019 (Table 1.1) assessed the site (ref 32) as being deliverable with a yield of 60 dwellings.

(4) Additional Dwellings to be secured through a Non-Strategic Site Allocations DPD:

The 5.3 year housing land supply set out within the Arun Local Plan includes a provision of at least 1,250 homes to be identified through both the review of Neighbourhood Plans and through a Non-Strategic Site Allocations Development Plan Document (DPD). The DPD is not yet out for consultation although there remains potential for the site to be promoted through this document.

(5) Housing Delivery Rates:

In February 2019, the Government published results of its Housing Delivery Test. This shows Arun have underdelivered on its housing targets (achieving only 91%).

It is vital that delivery rates are maintained and much of this will hinge on the delivery of strategic sites allocated within the Local Plan. There have been delays to the determination of some of these sites and also the refusal of one of the Pagham sites. This will further affect delivery rates. It is considered the release of further land for housing will help to maintain delivery rates. This may have to include sites outside the built up area boundary and it would be preferential if such sites were located close to the edge of the BUAB and in sustainable locations which minimise the need to use the private car.

(6) Amendment Neighbourhood Plan:

The Aldingbourne Neighbourhood Plan is being reviewed to bring it in line with the Local Plan adopted in July 2018. A draft plan was published in the Spring of 2019 is a pre-submission draft plan.

In the Local Plan policy HSP1 Aldingbourne has an allocation of 70 dwellings. Aldingbourne has decided in the emerging plan to allocate a two sites of 85 dwellings - one of these sites is Wings Nursery. Revised policy H1 allocates this site for 55 dwellings and states proposals will be expected to conform to the other policies in this Plan and also to provide (through S106 or CIL) funding to deliver improvements to the Aldingbourne Sports and Community Centre. The emerging plan has limited weight at this time.

Conclusion on Matters of Principle:

The principle of development on this site is considered to be contrary to the development plan. However the proposal represents sustainable development and that there are other material considerations as set out above which, on balance, are considered to outweigh the in principle policy objection and serve to allow for the application to be supported.

PREMATURITY:

Para 014 (Reference ID: 21b-014-20140306) of the online Planning Policy Guidance states:

"arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

(a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or neighbourhood planning; and

(b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the

development concerned would prejudice the outcome of the plan-making process."

The Council has started work on a Non-Strategic Site Allocations DPD and is discussing with Parishes the review of made Neighbourhood Plans - Aldingbourne are at Regulation 14 stage with their Neighbourhood Plan already. Neither of these are at an advanced stage and the proposal is not considered to be so substantial or have a cumulatively significant effect on the settlement.

AGRICULTURAL LAND:

Policy EH3 of the ANDP states "Proposals for development on the "best and most versatile" agricultural land shown on Map B, the latest Defra Agricultural Land Classification Map, will be resisted unless it can be demonstrated that it would meet the following criteria: it supports the diversification of an agricultural enterprise or other land-based rural business; the need for the development clearly outweighs the harm;"

This is an out of date policy as it predates the adopted Local Plan however the contents of the policy are proposed to be retained in the emerging plan. The policy has reduced weight. It is considered the proposal is compliant with EH3 as the need for development (given the need of the Parish to allocate 70 additional houses) outweighs the harm created by the loss of agricultural land.

Local Plan policy SO DM1 considers soils and states: "Unless designated by this Plan or a Neighbourhood Development Plan, the use of Grades 1, 2 and 3a of the Agricultural Land Classification for any form of development not associated with agriculture, horticulture or forestry will not be permitted unless need for the development outweighs the need to protect such land in the long term."

It is considered that the development would lead to the loss of high grade agricultural land but given the need housing development in the district outweighs the policy restriction and the proposal complies with the ANDP policy EH32 and with policy SO DM1 of the ALP.

CHARACTER:

Policy D DM1 of the Local Plan requires the Council seek to make the best possible use of land by reflecting or improving upon the character of the site and the surrounding area. It requires the Council to consider scale, massing, aspect, siting, layout, density, building materials, landscaping, and design features. In terms of density, D DM1 requires housing makes efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. The policy requires the scale of development keep within the general confines of the overall character of a locality. ALP policy D SP1 "Design" requires development to make an efficient use of land and also reflect local character.

Policy H1 of the ANDP seeks quality of housing design - the application is in outline and no design/layout is to be agreed at this stage. Regard is had to para 127 of the NPPF: "Planning policies and decisions should ensure that developments: (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)." Paras 122 and 130 are relevant. Para 122 states planning decisions should support development that makes efficient use of land but the desirability of maintaining an area's prevailing character and setting should be taken into account. Para 130 states planning permission should be refused for development that fails to take opportunities available for improving character and quality of an area and the way it functions.

The application is outline and does not seek the approval of layout, external appearance, scale or landscaping. Although an indicative layout is provided, it is not possible to determine the application on the basis of this. It would be appropriate to make an assessment of whether new build residential

development in this location would be appropriate in the context of the character of this part of Aldingbourne.

The site sits on the south western edge of the settlement with farmland beyond. Houses to the east are along a linear form with roads radiating off the A29. To the south are some larger dwellings which are also outside of the built up area. It is clear that the character of this part of Aldingbourne would change as a result of this proposal as it would introduce dwellings into a generally an open area. However with the dwellings opposite the dwellings would be seen in the context of an approach to/edge of settlement location as is reflected to the east of the A29.

The indicative layout suggests a relatively spacious scheme with provision of open space and landscaping and this reflects what might be appropriate on the edge of a settlement. In terms of density, it is noted the proposal is for 55 dwellings whereas the HELAA suggested a yield of 60. Housing density, as discussed in ANDP policy H6 is considered acceptable.

Given the need for additional housing the proposal would not result in significant harm to the character of this part of Aldingbourne and, on the grounds of density and character, the proposal would not conflict with development plan policies.

HIGHWAYS AND PARKING:

Local Plan policy T SP1 seeks to ensure development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport. In respect of highway safety, it states: "The Council will support transport and development which: explains how the development has been designed to: (i) accommodate the efficient delivery of goods and supplies; (ii) give priority to pedestrian and cycle movements and have access to high quality public transport facilities; (iii) create safe and secure layouts for traffic, cyclists and pedestrians whilst avoiding street clutter."

In respect of parking, T SP1 states: "The Council will support transport and development which: Incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking". In addition, policy T DM1 requires that new development be located within easy access of established non-car transport modes/routes, contribute to the improvement of such routes & facilities and contribute towards the provision of a joined up cycle network and Public Rights of Way network.

Para 108 of the NPPF states: "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Regard should be had to para 109 which states: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

The advice of WSCC Highways is summarised above and it is clear they have comprehensively assessed the proposals and do not consider that there will be any severe harm to the safety or convenience of the local highway network either solely or in combination with other developments. Improvement works and a contribution to the re-aligned A29 are also sought by County Highways and these can be achieved.

It is considered the proposal accords with relevant development plan policies and with the NPPF on highway safety. A request for a contribution towards s106 has been made towards the re-aligned A29 scheme.

BIODIVERSITY:

ALP policy ENV DM5 states: "Development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on site. They shall also however 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)."

ANDP policy EH2 allows new development in or immediately adjacent to biodiversity corridors identified within the ADNP. The site is not within or adjacent to these areas.

Para 175 of the NPPF states: "If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;"

The application has been subject to consultation with our ecologist who requested a greater crested newt (GCN) survey be undertaken in addition to the ecological work already undertaken. This has been submitted by the applicant and is being considered by our Ecologist.

Further conditions or report updates will be reported to Committee.

It is anticipated that no objection will be raised and therefore it is not likely that there will be any conflict with NPPF para 175 or with ALP policy ENV DM5.

FLOODING AND DRAINAGE:

The site does not lie in an area at risk from flooding from rivers or from surface water flooding.

Policy W DM2 of the ALP ("Flood Risk") is not relevant. Policy W DM3 (Sustainable Urban Drainage Systems) states: "To increase the levels of water capture and storage and improve water quality, all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS), appropriate to the size of development, at an early stage of the design process." ANDP policy EH5 requires a flood risk assessment in areas at risk of flooding to demonstrate appropriate provision for surface and foul water.

WSCC and ADC Drainage Engineers do not raise objection to the principle of development subject to mitigation by planning condition. In the absence of objections, it is not considered a refusal on surface water drainage grounds can be justified and the proposal must be judged to be in accordance with relevant development plan policies.

FOUL DRAINAGE:

Part 3 of Arun Local Plan policy W DM1 is relevant. It states: "Major development within this area must also be accompanied by a full Drainage Impact Assessment which must take account of surface water disposal and foul water disposal." And that: "Where surface water and foul water drainage systems are approved as part of the consideration of a planning application, conditions may be imposed upon the permission relating to dates for implementation or other detailed technical requirements."

RESIDENTIAL AMENITY:

Local Plan policy D DM1 requires the Council have regard to certain aspects including: (3) Impact - "Have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance." Policy QE

SP1 states the Council will ensure that development does not have a significantly negative impact upon residential amenity. It is considered necessary to have regard to para 127 (f) of the NPPF which states planning policies and decisions should ensure that developments create places that have a high standard of amenity for existing and future users.

It is not possible to make a detailed assessment of residential amenity at this stage given that layout, scale and appearance are all reserved matters. In principle it is not considered the dwellings shown on the illustrative layout would be sited to result in any harm to the privacy, outlook or amount of light to neighbouring properties.

Subject to a more detailed consideration of privacy issues at a reserved matters stage, it is not considered that there would be conflict with policies D DM1, QE SP1 or para 127 of the NPPF.

AFFORDABLE HOUSING:

For all developments over 11 residential units, the Council requires minimum provision of 30% affordable housing on site, as per Policy AH SP2 of the Arun Local Plan and the Interim Affordable Housing Policy (2010).

A request has been made by the Affordable housing manager for 14 rented and 4 intermediate homes with a preference for 2 bed homes. The mix would be split between 75% rented and 25% affordable. A minimum of 9 of the affordable dwellings should be designed to m4(2) Building Regulations standard and that an additional 1 affordable dwelling be designed to wheelchair accessible standard.

Policy H4 of the ANDP requires a 40% contribution towards affordable housing. The Local Plan takes precedence over this policy as it is the most recently adopted and therefore 30% will be sought.

The affordable housing provision will be secured by a S.106 legal agreement and the proposal will accord with policy AH SP2.

PUBLIC OPEN SPACE & PLAY:

The Council's supplementary planning document "Open Space & Recreation Standards" sets out standards for public open space. This guidance is considered to be out of date and so reference is made instead to the current Fields in Trust (FIT) standards as set out in "Guidance for Open Sport and Play: Beyond the Six Acre Standard" (October 2015).

No response from the Parks Team has been submitted regarding this proposal. However details of the open space can be agreed at approval of reserved matters stage. A contribution of £200 per dwelling is sought towards a MUGA at the Aldingbourne Sports and Community Centre.

The indicative plan shows open space and the proposal does not conflict with ALP policy OSR DM1.

SUPPORTING INFRASTRUCTURE:

Arun Local Plan policy INF SP1 states: "The Local Planning Authority will support development proposals which provide or contribute towards the infrastructure and services needed to support development to meet the needs of occupiers and users of the development and the existing community" and "Any on-site provision or financial contribution required to address unacceptable impacts must meet the statutory tests for planning obligations required by Regulation 122 of the Community Infrastructure Regulations 2010."

WSCC have requested financial contributions in respect of primary education, secondary education, 6th form education, libraries and fire & rescue. The level of these contributions will be based on a formula to allow the contribution amounts to be calculated using the housing mix at the reserved matters stage. The contributions will be spent on the following projects:

- additional facilities at Aldingbourne C of E Primary School;
- fixtures, fittings and equipment for phase 2 of the new secondary school serving Arun;
- a restructure of the sixth form to cater for additional students at St Phillip Howard Catholic High School Sixth Form;
- on the expansion of facilities at Bognor Regis Library; and
- towards supply and installation of additional fire safety equipment to vulnerable persons homes in Aldingbourne.

The NHS have requested a contribution of £54,557 which will be allocated to assist with the creation of a new integrated community hub facility at the Croft Medical Centre on Barnham Road in Eastergate to serve the catchment population of this development.

With regard to the fire safety contribution the inspector in determining a relatively recent (Burndell Road, Yapton) Call in decision (ref APP/C3810/V/16/3158261), considered the requested contribution was not compliant with the CIL Regulations. WSCC have since stated the request for the Burndell Road application was for smoke alarms whereas on a more recent Ford Lane appeal (APP/C3810/W/17/3170059), the request was for fire safety equipment and this was accepted as being compliant by that Inspector. WSCC are of the opinion that the fire & rescue contribution is CIL compliant.

Despite concerns by ADC over the specificity of the infrastructure projects, WSCC recently stated with respect to application AL/57/18/OUT that the projects for which the education contributions would be allocated to are specific enough to ensure that WSCC will not run out of projects for each of the named schools.

The contributions/provisions are necessary to make the development acceptable in terms of ALP policy INF SP1, are directly related to the needs of the development (with the contributions required to meet the demands of - and mitigate the impacts of - the development), and are fairly & reasonably related in scale and kind (the level of contributions are/will be calculated in accordance with a formula so as to be proportional to the amount of new development). The Council's pooling data has been checked and none of the contributions would result in more than 5 contributions to a particular project. The restriction on pooling contributions is due to be removed later this year.

These contributions will be secured by a S106 Legal Agreement which is in the process of being completed and as such, there is no conflict with policy INF SP1 of the Arun Local Plan.

SUMMARY:

This outline application considers the development of this site with 55 new residential dwellings. Two accesses are proposed. All other matters regarding design, layout, appearance, scale and landscaping would be the subject of a reserved matters application.

The principle of development on the site is contrary to the development plan in respect of the site's location within defined countryside. Members should note that the the Council's current 5.3 year housing land supply (set out in the ALP) is partially reliant on additional housing land being identified through either a review of Neighbourhood Plans or through a Non-Strategic Site Allocations Development Plan Document (DPD). It is vital to consider additional sustainable housing developments in order to contribute to housing land supply and maintain/improve housing delivery rates. The emerging amended

Neighbourhood Plan allocates the land for housing.

This site was previously considered to be deliverable through the HELAA process. It is not considered the development will result in harm to character of the countryside.

There is additional conflict with the development plan in respect of the loss of potentially high value agricultural land. There is policy provision to allow for development on high grade agricultural land in certain circumstances where the need outweighs harm.

It is considered the material considerations set out within this report are such that in accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004, a decision can be taken other than in accordance with the development plan.

It is recommended that the application be approved subject to the following conditions and subject to the signing of a Section 106 which is currently being prepared to cover the items listed below. As the s106 has not been signed it is requested that the final decision on the application be delegated to the Head of Planning.

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 characteristics (age and disability) through the provision of affordable housing to meet the needs of those groups..

SECTION 106 DETAILS

WSCC Highways

- Widened footway on western side of the A29 from the main (southern) site access up-to the southern edge of the car park serving the Prince of Wales Public House
- Footway on eastern side of road taken from junction of Willows Caravan Park access road

to Lee's Yard

- Strategic Infrastructure Contribution towards the realigned A29 scheme (£9,043 per dwelling)
- Bus stops, shelters and real-time passenger information contribution (and/or works)
- Travel Plan
- Cycle stands adjacent to nearby convenience store
- Contributions towards other non-highways infrastructure (education, libraries etc.) - details to follow separately

Infrastructure in the s106 required for schools, libraries and fire and rescue services.

NHS - £54,557 for The Croft GP surgery" for the infrastructure needs of managing "on the day demand".

Affordable housing:- 14 x rented and 4 x intermediate homes. Given the high need for 2 bedroom accommodation the Council welcomes the predominance of 2 bedroom dwellings

MUGA at Aldingbourne Sports and Community Centre at a rate of £200 per dwelling.

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

- 1 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).

- 2 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).

- 3 The development hereby approved shall be carried out in accordance with the following approved plans insofar as they relate to the matters approved by this application:-

1551/05/B
2017/3711/001/Rev E
2017/3711/002/Rev E
2017/3711/004/Rev A

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and TSP1 of the Arun Local Plan.

- 4 No part of the development, hereby permitted, shall be occupied until the accesses as generally shown on shown on drawings 2017-3711-001; 002 and 003 (all revision 'E') and 004

(revision 'A') have been constructed to a final specification to be agreed with the local Highway Authority through a formal S38 and/or S278 process (including right hand turning lane on A29).

Reason: To ensure fit-for-purpose accesses constructed to appropriate design and safety standards in accordance with the NPPF and policy TSP1 of the Arun Local Plan.

- 5 No development shall commence unless and until details of the layout and specification of and construction programme for/the roads, footpaths and casual parking areas/the foul and surface water drainage and means of disposal/have been submitted to and approved by the Local Planning Authority. No house shall be occupied until it is provided with access constructed in accordance with such approved details to the established highway network.

Reason: To secure satisfactory standards of access and drainage for the proposed development in accordance with policy T SP1, T DM1, W DM3 of the Arun Local Plan.

- 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 phased programme of construction works;
- the means of access and road routing for all construction traffic associated with the development;
- provision of wheel washing facilities and details of their operation and location;
- details of street sweeping;
- details of a means of suppressing dust arising from the development;
- details of all proposed external lighting to be used during construction;
- details of areas for the loading, unloading, parking and turning of vehicles associated with the construction of the development;
- details of areas to be used for the storage of plant and materials associated with the development;
- details of the temporary construction site enclosure to be used throughout the course of construction (including access gates).
- contact details for the site contractor, site foreman and Construction Design Management co-ordinator (including out-of-hours contact details) under the Construction Design and Management Regulations 2015.
- details of any temporary traffic management that may be required to facilitate the development including Chapter traffic signs in accordance with Chapter 8 of the Traffic Signs and General Directions manual.
- details on how habitats and enhancements onsite will be managed during and post construction.

Details of how measures will be put in place to address any environmental problems arising from any of the above shall be provided. A named person shall be appointed by the applicant to deal with complaints, shall be available on site and their availability made known to all relevant parties.

Reason: To ensure safe and neighbourly construction in the interests of amenity and road safety and to accord with the NPPF and TSP1 of the Arun Local Plan.

- 7 Prior to the commencement of development a detailed level survey of the site including existing and resulting ground levels and the slab levels of the dwellings the subject of this approval, shall be submitted to and approved by the Local Planning Authority. The

development shall proceed only in accordance with the details thus approved and there shall be no subsequent raising of levels without prior written approval of the Local Planning Authority.

Reason: In order to safeguard the amenities of the area and neighbouring residents in accordance with policy D DM1 of the Arun Local Plan.

- 8 No development, hereby approved, shall be occupied until provision for parking and turning of cars associated with the development has been provided in accordance with plans to be submitted to and approved by the Local Planning Authority after consultation with the County Highway Authority. Provision should thereafter be maintained solely for the purpose of the parking and turning of vehicles clear of the highway.

Reason:- To ensure that adequate provision for the parking and turning of vehicles is provided for the development to accord with the NPPF and policy TSP1 of the Arun Local Plan.

- 9 No development shall be occupied until any disused crossovers and/or accesses no longer required as part of the development, have been permanently removed and reinstated in accordance with plans to be submitted to and approved by the Local Planning Authority for consultation with the County Highway Authority.

Reason: To ensure that any access points not required to serve the development are permanently removed to avoid risk of inappropriate re-opening in the future and also in the interests of road safety and to accord with the NPPF and policy TSP1 of the Arun Local Plan.

- 10 The development, hereby approved, shall not be occupied until provision has been made within the site in accordance with details to be submitted to and approved by the Local Planning Authority after consultation with the County Highway Authority to prevent surface water draining onto the public highway.

Reason - In the interests of road safety and to accord with the NPPF and policy TSP1 of the Arun Local Plan.

- 11 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 SP1,W DM1, W DM2 and W DM3 of the Arun Local Plan.

- 12 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.

- 13 The development shall not proceed 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.

- 14 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.

- 15 Before the development hereby permitted is commenced, details of a proposed foul drainage system shall be submitted to and approved in writing by the Local Planning Authority (including details of its siting, design and subsequent management/maintenance, if appropriate) 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 adequate infrastructure is provided to enable the scheme to be satisfactorily drained in accordance with Policies D DM1, W DM1 and W SP1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as the foul drainage system goes to the heart of the planning permission.

- 16 No development in any phase shall be carried out unless and until a schedule of materials and finishes to be used for that phase for external walls and roofs of the proposed buildings has been submitted to and approved by the Local Planning Authority. No development in any phase shall be carried out unless and until a 'statement of detail' for that phase has been submitted to and approved setting out details of proposed windows and doors, details of the depth of recess/reveal from the brickwork, sills and lintels, brick bonding, brick detailing, eaves detailing and rainwater goods. The materials and 'statement of details' so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in details in the

interests of amenity by endeavouring to achieve buildings of visual quality in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the use of satisfactory external materials goes to the heart of the planning permission.

- 17 Prior to the commencement of the development details of the following biodiversity enhancements shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be in place prior to the occupation of the development and retained in perpetuity.

- Any trees removed should be replace at a ratio of 2:1
- Hedgerow retention
- Wildlife pond
- Wildflower meadow planting used
- Filling any gaps in tree lines or hedgerows with native species
- Bat tiles/bricks and bird boxes installed on the site
- Grassland areas managed to benefit reptiles.
- Log piles onsite
- Gaps are included at the bottom of the fences to allow movement of small mammals across the site
- Retention and protection of the scrub, hedgerow and tree habitat on the south and west boundaries of the site.

Reason: To promote biodiversity in accordance with the NPPF and policy ENV SP1 of the Arun Local Plan.

- 18 During the construction phase no machinery/vehicles or plant shall be operated on the site, no process shall be carried out and no deliveries taken at or despatched except between the hours of:

7.00 a.m. and 6.00 p.m. on Mondays to Fridays inclusive

8.00 a.m. and 1.00 p.m. on Saturday

Not at any time on Sundays or Public Holidays

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

- 19 The mitigation measures detailed in the Reptile Survey Report of October 2017 and Bat Emergence Reports of October 2017 shall be carried out in full.

Reason: To promote biodiversity in accordance with the NPPF and policy ENV SP1 of the Arun Local Plan.

- 20 No external lighting shall be installed on site (including street lighting) 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.

- 21 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.

- 22 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

- 23 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.

- 24 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.

- 25 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.

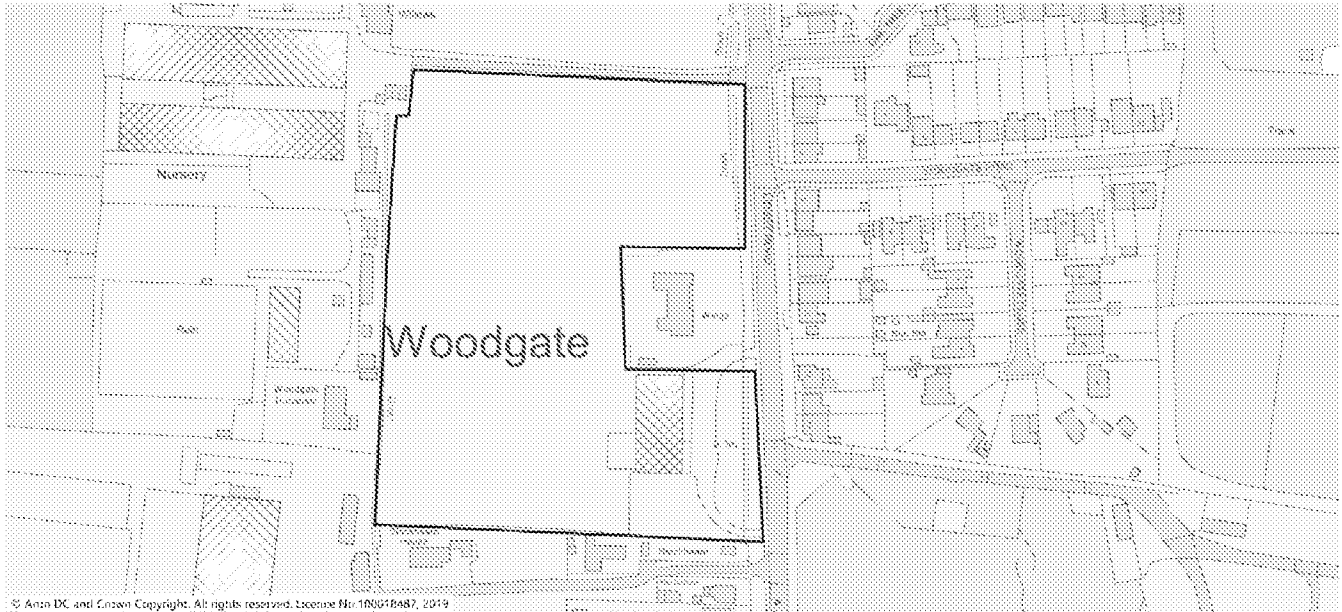
Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with policy QE DM4 of the Arun Local Plan.

- 26 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.
- 27 INFORMATIVE: As part of the approval of the reserved matters application, the applicant shall include details of security measures to the development layout and to buildings and boundary treatments in accordance with the consultation advice of Sussex Police available on the Councils website. The details to be submitted shall include siting, design and appearance of any measures as well as associated technical details.
- 28 INFORMATIVE: S59 Agreement - If deemed necessary, the applicant should contact West Sussex County Council Legal Services to obtain necessary information to enter into the Section 59 Agreement under the Highways Act 1980. This Agreement is would be required in the event that extraordinary traffic required to build the development is generated during the construction phase/s in order to provide a means of making good the public highway following the cessation of construction traffic and building work on the site. Full details of the process can be obtained from the Local Highways Manager WSCC.
- 29 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.
- 30 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.

- 31 INFORMATIVE: If during construction works, it becomes apparent that 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.
- 32 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.
- 33 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0845 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.
- 34 INFORMATIVE: This application has been approved subject to a s106 legal agreement requiring infrastructure contributions.
- 35 INFORMATIVE: Current Ordnance Survey mapping shows ordinary watercourses on or directly adjacent to the site. Local or field boundary ditches, not shown on Ordnance Survey mapping, may exist around the site. If present these should be maintained and highlighted on future plans. Works affecting the flow of an ordinary watercourse will require ordinary watercourse consent and an appropriate development-free buffer zone should be incorporated into the design of the development to aid access/maintenance.

AL/32/19/OUT - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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100018487. 2015

HEADS OF TERMS

AL/32/19/OUT

Financial obligation(s) summary or change	Trigger Point	Amount	Due to (ADC, WSCC, NHS, other)	Destination/ project	Spend by restriction
Education Primary	TBC by WSCC	Formula based	WSCC	Contributions shall be spent on additional facilities at Aldingbourne CofE Primary School.	Ten (10) years of the date of receipt of final instalment of the Contribution
Education Secondary	TBC by WSCC	Formula based	WSCC	Contributions generated by this proposal shall be spent on fixtures, fittings and equipment for phase 2 of the new secondary school serving Arun.	Ten (10) years of the date of receipt of final instalment of the Contribution
Education Sixth Form	TBC by WSCC	Formula based	WSCC	The contributions generated by this proposal shall be spent on a restructure of the sixth form to cater for the additional student population at St Philip Howard Catholic High School Sixth Form.	Ten (10) years of the date of receipt of final instalment of the Contribution
Libraries	TBC by WSCC	Formula based	WSCC	Contributions shall be spent on expansion of the facilities at Bognor Regis Library.	Ten (10) years of the date of receipt of final instalment of the Contribution
Fire & Rescue	TBC by WSCC	Formula based	WSCC	Contribution to be used towards 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 Aldingbourne.	Ten (10) years of the date of receipt of final instalment of the Contribution
WSCC Highways	TBC by WSCC	£9,043 per dwelling	WSCC	Contribution towards the A29 realignment.	Ten (10) years of the date of receipt of final instalment of the Contribution
WSCC Highways – Travel Plan	TBC WSCC	£150 per dwelling towards bus travel, cycle purchase etc	WSCC	Residents on occupation	Ten (10) years of the date of receipt of final instalment of the Contribution
NHS	To be paid to ADC upon commencement of the development	£54,557	ADC	Financial contribution towards for "The Croft GP surgery" for the infrastructure needs of managing "on the day demand".	Ten (10) years of the date of receipt of final instalment of the Contribution
MUGA Contribution	To be paid to ADC on first occupation of the	£200:00 per dwelling	ADC	Contribution towards the delivery of a multi-use games area at Aldingbourne Community Sports	Ten (10) years of the date of receipt of final

	development.			Centre or such other site as may be agreed by ADC. Exact wording to be confirmed.	instalment of the Contribution
Affordable Housing		14 x rented and 4 x intermediate homes. a minimum of 9 of the affordable dwellings be designed to m4(2) and that an additional 1 affordable dwelling be designed to m4(3).	ADC	On site.	

NON-FINANCIAL Obligation Summary	Trigger Point	Due To (ADC, WSCC, Other)	Department/Officer to Confirm Compliance
Footpaths and Cycleways: improvements in the form of a widened footway on the west side of the road between the main site access up-to the start of the car park serving the Prince of Wales Public House. On the east side of the road a new footway running from the junction with Willows Caravan Park running south to connect to Lee's Yard. Opportunities to cross the road in the form of pedestrian ramps with tactile paving. Cycle ramps at shop to north of railway line/junction of Hook Lane	TBC WSCC	WSCC	
Bus infrastructure: Bus shelters and real-time passenger information displays or bus stop poles with real time passenger information.	TBC WSCC	WSCC	

PLANNING APPLICATION REPORT

REF NO: Y/62/18/OUT

LOCATION: Clays Farm
North End Road
Yapton
BN18 0DT

PROPOSAL: Outline application with some matters reserved (appearance, landscaping, layout & scale) for 33 No. residential dwellings, access, landscaping & associated works. This application is a Departure from the Development Plan.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Outline application seeks approval of the principle of development and access arrangements. An indicative layout plan has been provided but layout is a reserved matter. The indicative plan shows 33 dwellings - a mix of 2 beds, 3 beds and 4 beds. An area of public open space (POS) is shown in the south west corner, it is indicated that children's play space would be located there. A smaller area of POS is between plot 28 and the north boundary. The layout suggests a link to an existing footpath to the west as well as two potential links into neighbouring developments to the north and south. A landscaped buffer is shown to the north, south and west boundaries. Access would be via the existing but with improved bell mouth, road width and visibility splays.
SITE AREA	1.67 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	19.8 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	Trees are to site boundaries and not considered to be affected by the proposal.
BOUNDARY TREATMENT	Mixed consisting of 1m high post & rail and a 2m hedge to "The Steddles".
SITE CHARACTERISTICS	Grassed paddock, overgrown to the edges. Two timber pitched roof buildings - one a double barn (around 1.5 storeys high) and a single storey stable building. Single width access to North End Road.
CHARACTER OF LOCALITY	The land to the west is arable farmland. To the east are two large residential dwellings ("The Steddles" and "St Mary's Vicarage"). The Steddles is the closest of these and is part single, part two storey (the northern half has a first floor within the roof). The land to the north and south is discussed below.

Yapton benefits from two GP surgeries, a pharmacy, two churches, a village hall and playing fields, the primary school and a small selection of shops. Barnham railway station is 2 miles west (as the crow flies). Yapton has a regular bus service.

RELEVANT SITE HISTORY

Y/88/18/OUT	Outline application with some matters reserved for the erection of 38 No. dwellings. This application affects a Public Right of Way.	
Y/49/17/OUT	Outline application with some matters reserved for the demolition of all existing structures & redevelopment of the site with up to 45 dwellings (30% affordable (up to 14)) & 0.3 hectares of landscaped open space with vehicular access from Maypole Lane & pedestrian/cycle access only from North End Road. This application is a Departure from the Development Plan & may affect the setting of a listed building.	App Cond with S106 15-02-18
Y/52/16/HH	Two storey front extension, two storey rear extension, replacement dormer window to rear, new hipped roofs to front dormer windows, new garage/carport, replacement greenhouse & revised fenestration (resubmission following Y/24/16/HH).	ApproveConditionally 02-09-16
Y/93/14/OUT	Outline application for the erection of 38 dwellings to comprise 6 No. 4-bed houses, 20 No. 3-bed houses, 10 no. 2-bed houses and 2 no. 1-bed houses each with a garage and parking space, together with the means of access off North End Road	App Cond with S106 05-08-15

None relevant to site.

To the immediate south lies land to the north of the Yapton Primary School which is allocated in the Yapton Neighbourhood Development Plan for residential development and is the subject of outline application for 38 dwellings (Y/88/18/OUT). To the north lies land known as "Land at Street Buildings, North End Road" which has an outline planning permission for 45 dwellings (ref Y/49/17/OUT).

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Yapton Parish Council

Yapton Parish Council

Yapton Parish Council

Yapton Parish Council object. Their full comments dated 12/09/18 are available on the website:

- (1) The application is both a departure from the Development Plan and is premature to the Non-Strategic Housing Delivery Policy stated in the recently adopted Arun Local Plan (ALP);
- (2) The application pre-empts and is premature to the work Yapton is implementing in relation to updating its made 2014 Yapton Neighbourhood Development Plan (YNDP);
- (3) YPC note Arun District Council's (ADC's) previous request to all landowners with parcels of land along this section of Yapton's western boundary to prepare a joint masterplan to cover proposed residential development on land between Bonhams Field (Y/1/17/OUT) at the southern end of North End Road and Land at Street Buildings (Y/49/17/OUT) close to the junction with Maypole Lane at the northern end.' This request would appear to have been ignored;
- (4) Yapton has a large amount of potential small HELAA's and a newly designated Small Strategic Housing Site which the Community must be allowed to consider and decide how they wish to see their Parish grow in tandem with the Housing Delivery Policy within the ALP;
- (5) ADC have only recently suggested a methodology for allocating updated housing numbers for Parishes, again deeming the application as premature;
- (7) YPC request this application be withdrawn until YPC and ADC with the Parish's Community can consider the impact of additional housing stock on the village's facilities, infrastructure and landscape;
- (8) The site on the western outskirts of the village. It lies outside the BUAB as designated within the newly adopted ALP;
- (9) This parcel of land is key to informing the rural identity of this historic part of Yapton. It is a now vital 'green space' which needs to be assessed with strategic long term vision;
- (10) Fails to meet key criteria in the NPPF, and more importantly those of the newly adopted ALP. It disregards the made YNDP along with YPC's commitment to updating this document considering ADC's drive to allocate additional Non-strategic housing sites in conjunction with communities;
- (11) Outside of existing built-up areas as defined in the ALP. The applicant has not allowed for full and meaningful community engagement as stated in ALP Chapter 12 Housing delivery;
- (12) Applicant relies heavily on the outcomes of the HELAA which YPC caution should be regarded as an informative not as a policy document as inferred by the applicant;
- (14) The site fails to reflect made YNDP housing policy H1 and is not an allocated site;
- (15) YPC, whilst acknowledging ADC's need for 1,250 non-strategic residential units, is of the view that on a local level, Yapton has met its short-term local parish allocation;
- (17) The ALP has designated one small (500 unit) Strategic Housing Sites within Yapton Parish SD7. Along with site SD7 a further 450+ residential units have been granted outline planning permission in the Parish of Yapton - an accumulative total of 950+ units;
- (18) The scheme is presented as an isolated site with no indication as to how it might relate to adjoining sites;
- (19) Request more detail provided before application is taken further. The application, although outline, should be treated the same as Stakers Farm where detail for roads, greenspace and type of unit have been required and similarly for the two applications on SD7;
- (20) Concerns regarding the transport solution/access to the proposal;
- (21) Increased traffic conflict with existing traffic flows and Primary School parking and traffic;
- (22) WSCC Highways highlighted concerns on other sites on North End Road re accumulated traffic;
- (23) YPC request traffic be encouraged to approach the site as a one way system to lessen traffic movements in this section of North End Road.
- (24) YPC acknowledge the suggested links to adjoining land but no detail as to what these links are or their routing as part of a Masterplan.

- (25) Yapton Primary School is oversubscribed and new classroom space is needed to support any future housing in the village;
- (26) It is acknowledged that medical provision in the village has reached capacity with the most likely solution being a new centre within the Ford Strategic Housing Site;
- (27) YPC fail to see how this development can enhance the existing community until these shortfalls are overcome and proper future provision accounted;
- (28) Local need for additional community building to support family groups and classes, religious gatherings and clubs, library facility and general start-up business hub;
- (29) Southern Water, in recent nearby applications stated they have reservations as to if there is adequate water treatment capacity for additional housing in the area; and
- (30) Until a proper solution is in place by SW, YPC would ask that this is fully investigated prior to any decisions being made.

Yapton Parish Council reconsidered the application on 14th January 2019 but decided not to make any changes to their response.

12 letters of objection:

- (1) Proposal is unacceptable in principle due to location within the countryside;
- (2) No material considerations to indicate a decision other than in accordance with development plan;
- (3) Proposals are as a matter of principle in direct conflict with YNDP 2014 Policies BB1: Built-up Area Boundary, H1: Housing requirement, H2: Dwelling size, H3: Dwellings appropriate for the needs of older people and E1: Protection of high value agricultural land and do not accord with ADLP Policies SD SP1 Sustainable development, SD SP1a Strategic Approach, SD SP2 Built-up Area Boundary, C SP1 Countryside, GI SP1 Green Infrastructure and development and H SP1 The Housing Requirement and SO DM1 Soils;
- (4) Departure from the Local Plan;
- (5) Decision should be deferred until YNDP has been reviewed;
- (6) No demand for more housing in Yapton;
- (7) Assessing individual site locations in isolation is not a cohesive method of planning and views of residents should be respected;
- (8) No details as to sustainability of the development;
- (9) Loss of Grade 1 agricultural land;
- (10) The sewerage system has insufficient capacity;
- (11) Need infrastructure applications to accommodate new residents in Yapton;
- (12) Impact on existing local infrastructure and services particularly schools and medical services;
- (13) Impact on safety and convenience of North End Road particularly in combination with other approved developments;
- (14) Modernisation of Yapton Level Crossing will increase queuing problems as experienced at the Ford Level Crossing;
- (15) Increase in traffic will affect air quality in the area which will affect the children at the School;
- (16) Little employment in the village - so everyone will be using cars to commute;
- (17) Change in the character of Yapton from rural to urban;
- (18) The loss of yet more stabling and grazing land and impact on the horse leisure industry; and
- (19) Not appropriate to discuss application at "Ford, Clymping and Yapton Advisory Group" which was set up to consider strategic applications.

COMMENTS ON REPRESENTATIONS RECEIVED:

PARISH COUNCIL:

Parish Council points are noted and where relevant, are considered in conclusions section. In respect of

the comments on layout (nos. (18) & (19)), the application is an outline and layout is not for approval at this time. The Council is unable to force the applicant to show such level of detail on this scheme.

OBJECTORS:

Items (1), (2), (9), (10), (12), (13) and (17) will be discussed in the conclusions section of this report. The other points are considered below:

(3) These policies will be considered in the conclusions section except as indicated below;

ADLP Policy GI SP1 is not considered relevant as the site is not included in the Green Infrastructure Map for Yapton. The proposal is considered to accord with YNDP policy E6 as it retains green buffer planting to site boundaries and ensures connectivity with the rural land to the west.

YNDP Policies H2 & H3 are not relevant at this stage as layout/scale are not matters for consideration. Conditions could be imposed to ensure any reserved matters application adheres to the dwelling size mix specified by policy H2 and that a percentage of homes are suitable for older people.

(8) The application is in outline and sustainability measures would be more appropriately considered through a reserved matters application when appearance is considered;

(11) The Council is able to secure contributions which will then be used to improve schools, medical facilities, libraries as and when such improvements are considered necessary;

(15) Environmental Health have assessed the application and commented on air quality but has not objected provided a scheme is proposed to provide electric car charging points for the development;

(16) Noted. However, cycling and buses do remain viable alternatives;

(18) Noted - there are no policies in the Development Plan to protect existing equestrian uses; and

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

Southern Water Planning

Highways England

WSCC Strategic Planning

Surface Water Drainage Team

Environmental Health

Parks and Landscapes

Arboriculturist

Ecology Advisor

Sussex Police-Community Safety

NHS Coastal West Sussex CCG

Planning and Housing Strategy

CONSULTATION RESPONSES RECEIVED:

HIGHWAYS ENGLAND - no objection subject to condition to secure a construction management plan and a phasing condition to require no more than 17 dwellings are occupied before the A27/Yapton Lane improvement works have been implemented.

NHS - no objection subject to financial contribution of £41,957 which will most likely be allocated to assist with the creation of a new integrated community hub facility at Croft Medical Centre on Barnham Road, Eastergate which will then serve the catchment population of this proposed development.

SOUTHERN WATER - no objection subject to a condition to secure a phased delivery of development to ensure Southern Water are able to deliver sewerage network reinforcement to ensure capacity for the new homes. Request a condition to require approval of details of the foul sewer.

SUSSEX POLICE - no objections but list a number of advisory notes regarding improving security.

WSCC HIGHWAYS - no objections subject to conditions to secure the vehicular access, the necessary visibility and a construction management plan. State that:

- The proposal will result in a new vehicle access onto North End Road which is a single carriage way "B" class local distributor road designated as the B2132 and subject to a 30mph speed limit;
- The application is supported by a Transport Statement (TS); this includes TRICS data and a Stage 1 Road Safety Audit (RSA) with Designer's Response.
- Access to the site via new 4.8m bellmouth which will become a simple two way priority junction;
- The access road will be a shared surface arrangement. It is assumed the road is to remain private and not to be adopted under a Section 38 Agreement. The LHA would request this is confirmed prior to permission being granted;
- The applicant has based vehicular visibility splays on Manual for Streets (MfS) Parameters of 2.4 by 43m in line with 30 mph speed limits. Problem 2.4 of the RSA makes reference to maintaining visibility and as per the Auditors comments a condition will be attached to secure splays of 2.4 by 43m;
- No recorded injury accidents in the vicinity of the site access onto North End Road;
- No evidence to suggest the road is operating unsafely or that the proposal would exacerbate an existing safety concern;
- Access road should take the form of a 4.8m wide shared surface arrangement and this would be suitable as this will be a low speed, low traffic environment;
- Refuse collection will take place from within the site and swept path diagrams demonstrate that larger vehicles can turn within the site;
- Trip generation data suggests 19 two way movements in the morning and 17 in afternoon peak hours;
- Whilst the development would give rise to intensification in use of North End Road, the proposal accords with the NPPF in that it cannot be demonstrated the development would have a severe impact on the operation of the local road network;
- There are several bus services operating in the vicinity and bus stops located along North End Road;
- The nearest Rail service is 1.6 miles North West of the site in Barnham. This is reachable via bus (16 minute journey) and on foot approximately 32 minutes.
- Yapton is considered a sustainable area, with local shops and amenities within walking distance. There is a nearby school (Yapton Primary) located in close proximity. This is linked via street lit pedestrian footpaths;
- There is an existing footpath leading to Barnham and Yapton fronting the site.

In response to the suggestion the developers provide a pedestrian crossing on North End Road that as Clay's Farm is on the same side of the road as the primary school, this cannot be requested. The application to the east of North End Road (Y/80/16) did not request specific pedestrian improvements to North End Road rather Ford Lane therefore it would be hard to justify on this application.

WSCC INFRASTRUCTURE - Request contributions (calculated by a formula) to the following local projects:

- internal alterations and reconfiguration to accommodate additional pupils and increase classroom provision at Yapton C of E Primary School (or its successor);
- additional facilities at St Philip Howard Catholic High School;
- additional facilities at St Phillip Howard Catholic High School Sixth Form;
- additional stock at Arundel Library; and
- towards new anti-ventilation and UHP (ultra-high pressure) equipment which allows the Fire Service to control access and smoke penetration within the Southern area serving the parish of Yapton

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

WSCC FLOOD RISK - No objection subject to a surface water drainage condition. Note:

- Site is at a low risk of surface water flooding;
- Any existing surface water flow paths across the site must be maintained;
- No historic records of flooding; and
- No ordinary watercourses present.

COUNCILS ECOLOGIST - Required more information as to the extent of reptile populations on site and requested either detailed reptile activity surveys or a mitigation strategy (to include reptile fencing, translocation methods, the translocation site / enhancements and the timings of the works). Also request a series of wildlife enhancements and conditions to control lighting (in the interests of minimising harm to bats) and to ensure nesting birds are protected from any tree felling or vegetation clearance. Following submission of a Reptile Presence / Absence Survey Report, the ecologist confirmed no objections with the mitigation to be secured by condition.

ADC ENVIRONMENTAL HEALTH - No objection subject to conditions to secure a construction environmental management plan, hours of construction/demolition, the reporting of unexpected contamination and an electric vehicle charging scheme.

ADC LANDSCAPE - Raise no objections. Comment that:

- Developments of between 10-200 dwellings are expected to provide open space on site. The indicative layout suggests an over provision of on-site public open space;
- The buffer planting areas are welcomed;
- Local Area for Play (LAP) and Local Equipped Area for Play (LEAP) would be required on the site;
- Existing boundary trees should be protected and retained;
- An indication of future management responsibility and regime for areas of open space should be provided; and
- A Multi Use Games Area (MUGA) contribution should be sought as it was for other nearby approved schemes. The evidence based work suggests that there is already sufficient MUGA provision within suitable distance and therefore a contribution would not be necessary.

ADC TREE OFFICER - No response received.

ADC HOUSING STRATEGY & ENABLING MANAGER - No objection subject to 10 affordable houses being secured with a tenure split of 75% rented and 25% intermediate housing and within the following mix: 5 x 2 bed and 2 x 3 bed rented; 2 x 2 bed and 1 x 3 bed shared ownership.

ADC DRAINAGE ENGINEER - No objection subject to conditions:

- A drainage strategy has been submitted. No winter groundwater monitoring/percolation testing was completed; and
- Soakaways must be investigated for surface water disposal.

COMMENTS ON CONSULTATION RESPONSES:

Noted.

POLICY CONTEXT

Designations applicable to site:

Outside of the Built Up Area Boundary;
Agricultural Land (Grade 1);
Lidsey Treatment Catchment Area; and
Area of Special Control of Adverts.

DEVELOPMENT PLAN POLICES

Arun Local Plan 2011 - 2031:

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
ENVSP1	ENV SP1 Natural Environment
HDM1	H DM1 Housing mix
HSP1	HSP1 Housing allocation the housing requirement
INFSP1	INF SP1 Infrastructure provision and implementation
LANDM1	LAN DM1 Protection of landscape character
OSRDM1	Protection of open space,outdoor sport,comm& rec facilities
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SODM1	SO DM1 Soils
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems
WSP1	W SP1 Water

Yapton neighbourhood plan 2014 Policy BB1

Yapton neighbourhood plan 2014 Policy E1

Yapton neighbourhood plan 2014 Policy E3

Yapton neighbourhood plan 2014 Policy E4

Built-up Area Boundary

Protection of high value agricultural land

Protection of natural habitats

Minimising the environmental impact of

Yapton neighbourhood plan 2014 Policy E5	development
Yapton neighbourhood plan 2014 Policy E6	Enhancement of biodiversity
Yapton neighbourhood plan 2014 Policy E11	Green infrastructure and development
Yapton neighbourhood plan 2014 Policy H1	Minimising the impact of flooding from development
Yapton neighbourhood plan 2014 Policy H3	Housing requirement
Yapton neighbourhood plan 2014 Policy PK1	Dwellings appropriate for the needs of older people
	Parking standards for new residential development

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.

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

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

The relevant policies within the Yapton Neighbourhood Development Plan have been considered in the preparation of this report.

Section 38 (5) of the Planning and Compulsory Purchase Act 2004, states: "If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document". Any conflict between the YNDP and the Arun Local Plan, should be resolved in favour of the latter.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal is considered to conflict with the relevant development plan policies in that it would result in development in the countryside outside of the defined settlement boundary within the Arun Local Plan (ALP) and the Yapton Neighbourhood Development Plan (YNDP). The development would lead to the loss of land designated as having high grade agricultural value.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background as detailed in the Conclusion section. These are as follows:

- The National Planning Policy Framework (NPPF) and associated guidance particularly in respect of Sustainable Development;
- The site being situated between land with a residential permission (Y/49/17/OUT) and land allocated for residential development within the YNDP (currently the subject of application Y/88/18/OUT);
- The Councils' 2017 HELAA which assessed the site (NEWY23) as being deliverable and noted the site is considered to be a suitable site as there are no major constraints to overcome;
- The Council's 5.3 year housing land supply includes provision of at least 1,250 homes to be identified through the review of Neighbourhood Plans and through a Non-Strategic Site Allocations Development Plan Document (DPD);
- The result of the Government's 2018 Housing Delivery Test which states Arun have underdelivered on its housing targets and recommends an Action Plan be published to set out how delivery rates will be improved;
- Recent delays to the delivery of (and refusal of one such application) strategic housing allocations in Pagham which is likely to further affect Arun's housing delivery rates;

CONCLUSIONS

PROPOSAL & PRINCIPLE:

This is an outline application with means of access details only. Although an indicative site layout plan has been submitted which demonstrates 33 dwellings can be provided together with access roads, footpaths, public open space (including a play facility), parking and landscaping; siting is not a matter for determination at this time.

The development plan for the Arun District currently comprises the Arun Local Plan 2011-2031, the Yapton Neighbourhood Development Plan (November 2014) and the West Sussex Waste and Minerals Plans.

Arun Local Plan:

The key policy considerations in the determination of this application are considered to be H SP1, SD SP1, SD SP2 and C SP1 of the Arun Local Plan (ALP) 2011 - 2031.

Policy H SP1 "The Housing Requirement" sets out an overall provision of 20,000 new homes through the Local Plan phased over the plan period to 2031. It includes a reference to additional non-strategic allocations being made across the District through reviews of Neighbourhood Plans and through the publication of a "Non-Strategic Site Allocations Development Plan Document (DPD)". Yapton Parish Council made it clear that they will not progress this site through a review of their Neighbourhood Plan.

Policy SD SP1 states the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). It will work to secure development that will contribute to the social, economic and environmental conditions south of the National Park through to the coast and throughout its settlements (both coastal and inland).

The site is in a sustainable location in walking and cycling distance of a range of local shops, services, health and education facilities. There are bus services which enable access to nearby Barnham which has a railway station. Whilst the private car could be required for longer distances, future residents would not need to rely on a car to be able to live comfortably.

Policy SD SP2 "Built up Area Boundary" states that outside the Built Up Area Boundary (BUAB), apart from strategic, site specific and other broad allocations, development will not be permitted unless consistent with other plan policies. Policy C SP1 "Countryside" states that residential development in the countryside outside the BUAB will not be permitted unless in accordance with policies in the Plan which refer to a specific use or type of development.

The site lies adjacent and in between two defined edges of the BUAB but is outside of the designation. The site does not form part of any proposed Local or Neighbourhood Plan allocation and does not accord with another policy in the ALP.

Yapton Neighbourhood Development Plan (YNDP):

YNDP was made (adopted) in November 2014 on the basis of the saved policies in the 2003 Arun Local Plan and the draft policies in the 2014 publication version of the then emerging Arun Local Plan.

Figure 4.1 on page 13 of the YNDP includes a BUAB drawn round the edge of the settlement of Yapton which, save for proposed allocations within the YNDP, broadly compared with that provided by the 2003 Local Plan. The BUAB in the ALP is different having been amended to include Yapton strategic allocation SD7, the approved development on the corner of North End Road & Yapton Road (Y/1/17/OUT), the approved development on North End Road towards Maypole Lane (Y/49/17/OUT) and the approved development on land east of North End Road (Y/80/16/OUT). Nevertheless, the application site remains outside of the BUAB and is classified as countryside.

Policy BB1 states development outside of the BUAB will not be permitted unless in accordance with 4 listed criteria. The third of these is where the development relates to additional allocations for housing land in accordance with policy H1.

Policy H1 allows for a buffer of up to an additional 20% of the ALP housing requirement of 100 dwellings for the Yapton Neighbourhood Plan area. It is considered that this 20% has already been achieved through recent applications in the village such as Y/1/17/OUT (56 dwellings), Y/44/17/OUT (70 dwellings), Y/49/17/OUT (45 dwellings) and Y/80/16/OUT (100 dwellings).

Above and beyond this 20%, the policy states any further housing development will only be permitted if it can be demonstrated that either the expected child yield would not result in the Yapton CE Primary School exceeding the maximum number of children permitted or that appropriate modifications and/or extensions to the School can be delivered at the developer's expense. The applicant has not provided any justification in respect of this matter but any approval would be subject to contribution towards the expansion of Yapton CE Primary School which would be gain some support from policy H1.

National Planning Policy Framework (NPPF):

The NPPF published in July 2018 is a material consideration in determining planning applications. It sets out a presumption in favour of approving sustainable development. At para 12, it is clear that:

"The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed."

Other Material Considerations:

The following sets out whether there are any material considerations which indicate that the proposal should be determined other than in accordance with the development plan.

(1) Sustainability:

The site is clearly environmentally sustainable as it lies on the northern edge of Yapton and it will be possible for residents to use non-car means of transport to access schools, shops and other services. Pedestrians would have the benefit of street lit pavement to access services to the south of the site.

The proposal could help to support the local community by providing 33 dwellings with a mix of bedrooms (and the provision of 11 affordable homes) to meet future needs. If approved, the development would also be required to contribute towards local schools, libraries and the local health service and as such, there would be a further benefit to the local community.

The development will likely result in economic benefits to the local area in the form of the following:

- * An increase in Council Tax receipts;
- * Potential 'New Homes Bonus' payments from the Government;
- * The creation/maintenance of construction jobs; and
- * Additional spending by new residents on local goods & services.

(2) Site Location:

The application includes a location plan on which the site is shown in comparison to recently permitted residential developments and one of the YNDP residential allocations. This shows the application is between the neighbourhood plan allocation (land north of the School) and land with permission for residential development to the north (Land at Street Buildings). The BUAB in this part of Yapton is drawn around these two sites but excludes the application site and as a result, the application site has BUAB to the north and south and existing residential development outside of the BUAB to the east.

With the development of the two sites north and south, there would be limited harm to the character of the countryside if the application site was developed. It is not enough to simply refuse an application on the grounds of being in the countryside and it is necessary to identify the harm.

(3) 2017 HELAA Report:

In order to boost housing land supply in advance of the adoption of the current Local Plan, the Council previously (early 2017) resolved to invite planning applications on sites identified as being 'deliverable' by the HELAA where they were considered to be sustainable and would not prejudice the emerging local plan and/or infrastructure delivery.

The 2017 HELAA report assessed the application site (NEWY23) as being deliverable with a yield of 42 dwellings. The report stated: "Considered to be a suitable site as no major constraints to overcome. A site to the southern boundary has recently gained planning permission for housing development."

(4) Additional Dwellings to be secured through a Non-Strategic Site Allocations DPD:

The 5.3 year housing land supply set out within the Arun Local Plan includes a provision of at least 1,250 homes to be identified through both the review of Neighbourhood Plans and through a Non-Strategic Site Allocations Development Plan Document (DPD). The DPD is not yet out for consultation although there

remains potential for the site to be promoted through this document, only low weight can be attributed to this consideration at the current time.

(5) Housing Delivery Rates:

In February 2019, the Government published results of its Housing Delivery Test. This shows Arun have underdelivered on its housing targets (achieving only 91%). The Test recommends all Councils achieving less than 95% prepare an Action Plan to set out how delivery rates will be improved.

It is vital that delivery rates are maintained and much of this will hinge on the delivery of strategic sites allocated within the Local Plan. There have been delays to the determination of some of these sites particularly those in Pagham and also the refusal of one of the Pagham sites (outline application for up to 300 houses on land north of Hook Lane). This will further affect delivery rates. It is considered the release of further land for housing will help to maintain delivery rates. This may have to include sites outside the built up area boundary and it would be preferential if such sites were located close to the edge of the BUAB and in sustainable locations which minimise the need to use the private car.

Conclusion on Matters of Principle:

Notwithstanding the legal opinion above, the principle of development on this site is considered to be contrary to the development plan. It is considered the proposal represents sustainable development and that there are other material considerations as set out above which, on balance, are considered to outweigh the in principle policy objection and serve to allow for the application to be supported.

PREMATURITY:

Para 014 (Reference ID: 21b-014-20140306) of the online Planning Policy Guidance states:

"arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

(a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or neighbourhood planning; and

(b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process."

The Council has started work on a Non-Strategic Site Allocations DPD and is discussing with Parishes the review of made Neighbourhood Plans. Neither of these are at an advanced stage and the proposal is not considered to be so substantial or have a cumulatively significant effect on the settlement.

AGRICULTURAL LAND:

As per the plan at Figure 2 of the YNDP, the site is Grade 1 agricultural land. Policy E1 of the YNDP states "Planning permission will be refused for development on grade 1 and grade 2 agricultural land unless: (1) it involves the granting of planning permission for the development of the housing allocations identified in this Plan (Policy SA1 and Policy SA2); or (2) it involves the granting of planning permission for any additional housing sites required by Policy H1 to meet objectively assessed housing needs in the Plan area."

YNDP Policy H1 is out of date with reduced weight. It was amended by the YNP examiner to make explicit that it was an overarching policy to provide flexibility and choice for the provision of additional housing.

Local Plan policy SO DM1 considers soils and states: "Unless designated by this Plan or a Neighbourhood Development Plan, the use of Grades 1, 2 and 3a of the Agricultural Land Classification for any form of development not associated with agriculture, horticulture or forestry will not be permitted unless need for the development outweighs the need to protect such land in the long term."

It is considered that the development would lead to the loss of grade 1 agricultural land and there are no site constraints that could be set against a future agricultural use. The proposal is considered to conflict with the YNDP (policy E2) and with policy SO DM1 of the ALP.

CHARACTER:

Policy D DM1 of the Local Plan requires the Council seek to make the best possible use of land by reflecting or improving upon the character of the site and the surrounding area. It requires the Council to consider scale, massing, aspect, siting, layout, density, building materials, landscaping, and design features. In terms of density, D DM1 requires housing makes efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. The policy requires the scale of development keep within the general confines of the overall character of a locality. ALP policy D SP1 "Design" requires development to make an efficient use of land and also reflect local character.

There are no relevant design policies in the YNDP. Regard is had to para 127 of the NPPF: "Planning policies and decisions should ensure that developments: (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)." Paras 122 and 130 are relevant. Para 122 states planning decisions should support development that makes efficient use of land but the desirability of maintaining an area's prevailing character and setting should be taken into account. Para 130 states planning permission should be refused for development that fails to take opportunities available for improving character and quality of an area and the way it functions.

The application is outline and does not seek the approval of layout, external appearance, scale or landscaping. Although an indicative layout is provided, it is not possible to determine the application on the basis of this. It would be appropriate to make an assessment of whether new build residential development in this location would be appropriate in the context of the character of this part of Yapton.

The site sits on the western edge of the settlement with farmland beyond. It is noted the houses to the east are large buildings set in large plots and are appropriate to the rural edge of a settlement. Regard should be had to the approval for 56 dwellings on land immediately to the north and the neighbourhood plan allocation for houses on the land north of the school (subject of application Y/88/18/OUT for 38 dwellings) which abuts the southern edge of the application site. Therefore, it is clear that the character of this part of Yapton will change as a result of new residential development which has been accepted by the Council.

Within this context, it is not considered appropriate to conclude that the development of this site with houses would harm the character and appearance of the locality. It is also noted that the indicative layout shows a buffer planted area to the western boundary which reflects that shown on the approved indicative layouts for Y/44/17/OUT and Y/49/17/OUT and on the indicative layout for Y/88/18/OUT. It is considered the indicative layout suggests a spacious scheme with good provision of open space and landscaping and this reflects what might be appropriate on the edge of a settlement.

The proposal would not result in significant harm to the character of this part of Yapton and, on the grounds of density and character, the proposal would not conflict with development plan policies.

HIGHWAYS AND PARKING:

Local Plan policy T SP1 seeks to ensure development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport. In respect of highway safety, it states: "The Council will support transport and development which: explains how the development has been designed to: (i) accommodate the efficient delivery of goods and supplies; (ii) give priority to pedestrian and cycle movements and have access to high quality public transport facilities; (iii) create safe and secure layouts for traffic, cyclists and pedestrians whilst avoiding street clutter."

In respect of parking, T SP1 states: "The Council will support transport and development which: Incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking". In addition, policy T DM1 requires that new development be located within easy access of established non-car transport modes/routes, contribute to the improvement of such routes & facilities and contribute towards the provision of a joined up cycle network and Public Rights of Way network.

Para 108 of the NPPF states: "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Regard should be had to para 109 which states: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

The advice of WSCC Highways is summarised above and it is clear they have comprehensively assessed the proposals and do not consider that there will be any severe harm to the safety or convenience of the local highway network either solely or in combination with other developments. WSCC Highways do consider the indicative parking provision would not meet expected parking demand but this is an issue to be resolved at reserved matters stage when layout will be considered.

It is considered the proposal accords with relevant development plan policies and with the NPPF on highway safety.

BIODIVERSITY:

ALP policy ENV DM5 states: "Development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on site. They shall also however 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)."

YNDP policy E3 seeks to prevent loss of natural habitat but states it may be acceptable where mitigation measures ensure the integrity of the habitat or where the habitat is relocated to a site within 500m. Policy

E4 states sites should retain well-established features of the landscape, including mature trees and species-rich hedgerows, new tree planting will be required to mitigate significant loss.

Para 175 of the NPPF states: "If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;"

The application was accompanied by a Preliminary Ecological Appraisal Report including a daytime Bat Roost survey. The Council's Ecologist has accepted the development will not result in harm to local bat populations. The ecologist has stated with respect to reptiles that:

"Due to the current condition of the site and the information provided with the Ecological Appraisal there is potential for reptiles to be onsite and in particular within the boundaries. Though it has been proposed that a buffer is put in place to retain the boundary habitat, the suitable reptile habitat extends beyond this area and until reptile surveys are undertaken we do not know how large the reptile population is." and "Due to the protection reptiles hold, the applicant will need to either have a reptile activity surveys undertaken by a suitably qualified ecologist or assume reptiles are onsite and have a mitigation strategy for reptiles produced and submitted with the planning application prior to determination."

The applicant has provided a Reptile Presence/Absence Survey to address the concerns. This found that:

- A single slow-worm was recorded in the same location on the south-eastern boundary on two of the seven visits in May 2019; and
- A number of spot searches of the site were undertaken on the same days as refugia surveys. These involved searching piles of debris and rubbish on the site which were deemed suitable for reptiles. These searches uncovered no reptiles or evidence of reptiles.

The report then sets out the following mitigation strategy:

- Clearance of any suitable reptile vegetation shall be reduced by hand trimmer first to a height of 15.0 cm before being cut with hand mower or trimmer to <5.0 cm height and kept low throughout the construction phase;
- Clearance of suitable vegetation shall be carried out under ecological supervision; and
- It is recommended that at least half of the proposed buffer zone as shown on the indicative plans is enhanced for reptiles, through allowing the grass to grow longer, seeding with additional wildflowers, planting of a hedge along the northern boundary and provision of reptile hibernacula and refugia such as log and compost piles.

The Council's Ecologist has now confirmed no objections to the scheme and therefore there is no conflict with NPPF para 175 or with ALP policy ENV DM5 or policy E3 of the YNDP.

FLOODING AND DRAINAGE:

The site does not lie in an area at risk from flooding from rivers or from surface water flooding.

Policy W DM2 of the ALP ("Flood Risk") is not relevant. Policy W DM3 (Sustainable Urban Drainage Systems) states: "To increase the levels of water capture and storage and improve water quality, all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS), appropriate to the size of development, at an early stage of the design process." YNDP Policy E11 requires developments be designed and constructed to minimise the overall level of flood risk in the parish; and provide appropriate surface water drainage.

WSCC and ADC Drainage Engineers do not raise objection to the principle of development subject to mitigation by planning condition. In the absence of objections, it is not considered a refusal on surface water drainage grounds can be justified and the proposal must be judged to be in accordance with relevant development plan policies.

FOUL DRAINAGE:

Part 3 of Arun Local Plan policy W DM1 is relevant. It states: "Major development within this area must also be accompanied by a full Drainage Impact Assessment which must take account of surface water disposal and foul water disposal." And that: "Where surface water and foul water drainage systems are approved as part of the consideration of a planning application, conditions may be imposed upon the permission relating to dates for implementation or other detailed technical requirements."

Southern Water raise no objections. They do note there is an issue with the sewer infrastructure but consider this can be improved to coincide with development of the site. Although there is concern locally as to the impact of this application on the foul sewer network, in the absence of an objection from Southern Water it is not considered a refusal on foul water drainage grounds can be justified and the proposal must be judged to be in accordance with the relevant development plan policy.

RESIDENTIAL AMENITY:

Local Plan policy D DM1 requires the Council have regard to certain aspects including: (3) Impact - "Have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance." Policy QE SP1 states the Council will ensure that development does not have a significantly negative impact upon residential amenity. It is considered necessary to have regard to para 127 (f) of the NPPF which states planning policies and decisions should ensure that developments create places that have a high standard of amenity for existing and future users.

It is not possible to make a detailed assessment of residential amenity at this stage given that layout, scale and appearance are all reserved matters. It is noted the indicative layout has set all houses in from boundaries and shows landscaping to these boundaries.

Subject to a more detailed consideration of privacy issues at a reserved matters stage, it is not considered that there would be conflict with policies D DM1, QE SP1 or para 127 of the NPPF.

AFFORDABLE HOUSING:

For all developments over 11 residential units, the Council requires minimum provision of 30% affordable housing on site, as per Policy AH SP2 of the Arun Local Plan and the Interim Affordable Housing Policy (2010).

Para 3.10 of the submitted Planning, Design & Access Statement states that 7 no. 2 bed and 3 no. 3 bed houses would be provided to meet affordable housing requirements. The affordable housing provision will be secured by a S.106 legal agreement and the proposal will accord with policy AH SP2.

PUBLIC OPEN SPACE & PLAY:

The Councils supplementary planning document "Open Space & Recreation Standards" sets out standards for public open space. This guidance is considered to be out of date and so reference is made instead to the current Fields in Trust (FIT) standards as set out in "Guidance for Open Sport and Play:

Beyond the Six Acre Standard" (October 2015).

The requirements in respect of this proposal are for public open space of at least 2534.4 sqm in accordance with the 32sqm per person FIT standard and on-site play facilities in the form of a Local Area for Play (LAP). The indicative layout is considered to show more than the required amount of public open space as confirmed by the Councils Landscape Officer and indicates the location of a LAP in the largest area of public open space. This is considered to be acceptable. The applicant must enter into a legal agreement to secure the provision of the public open space and the play area and also to secure the relevant management plan or maintenance contribution.

The applicant has agreed to these provisions and they will be in the completed S106 Agreement. The proposal accords with ALP policy OSR DM1.

SUPPORTING INFRASTRUCTURE:

Arun Local Plan policy INF SP1 states: "The Local Planning Authority will support development proposals which provide or contribute towards the infrastructure and services needed to support development to meet the needs of occupiers and users of the development and the existing community" and "Any on-site provision or financial contribution required to address unacceptable impacts must meet the statutory tests for planning obligations required by Regulation 122 of the Community Infrastructure Regulations 2010."

WSCC have requested financial contributions in respect of primary education, secondary education, 6th form education, libraries and fire & rescue. The level of these contributions will be based on a formula to allow the contribution amounts to be calculated using the housing mix at the reserved matters stage. The contributions will be spent on the following projects:

- internal alterations and reconfiguration to accommodate additional pupils and increase classroom provision at Yapton C of E Primary School (or its successor);
- additional facilities at Philip Howard Catholic High School;
- additional facilities at St Phillip Howard Catholic High School Sixth Form;
- additional stock at Arundel Library; and
- towards new anti-ventilation and UHP (ultra-high pressure) equipment which allows the fire service to control access and smoke penetration within the Southern area serving the parish of Yapton.

The NHS have requested a contribution of £41,957 which will be allocated to assist with the creation of a new integrated community hub facility at the Croft Medical Centre on Barnham Road in Eastergate to serve the catchment population of this development.

With regard to the fire safety contribution the inspector in determining a relatively recent (Burndell Road, Yapton) Call in decision (ref APP/C3810/V/16/3158261), considered the requested contribution was not compliant with the CIL Regulations. WSCC have since stated the request for the Burndell Road application was for smoke alarms whereas on a more recent Ford Lane appeal (APP/C3810/W/17/3170059), the request was for fire safety equipment and this was accepted as being compliant by that Inspector. WSCC are of the opinion that the fire & rescue contribution is CIL compliant.

Despite concerns by ADC over the specificity of the infrastructure projects, WSCC recently stated with respect to a different application (ref AL/57/18/OUT) that the projects for which the education contributions would be allocated to are specific enough to ensure that WSCC will not run out of projects for each of the named schools.

The contributions/provisions are necessary to make the development acceptable in terms of ALP policy

INF SP1, are directly related to the needs of the development (with the contributions required to meet the demands of - and mitigate the impacts of - the development), and are fairly & reasonably related in scale and kind (the level of contributions are/will be calculated in accordance with a formula so as to be proportional to the amount of new development). The Council's pooling data has been checked and none of the contributions would result in more than 5 contributions to a particular project.

These contributions will be secured by a S106 Legal Agreement which is in the process of being completed and as such, there is no conflict with policy INF SP1 of the Arun Local Plan.

SUMMARY:

This outline application considers the development of this site with 33 new residential dwellings. Access is to be as per the existing with some improvements to its width and the junction with North End Road. All other matters regarding design, layout, appearance, scale and landscaping would be the subject of a reserved matters application.

The principle of development on this site is contrary to the development plan in respect of the site's location within defined countryside. Members should note that the the Council's current 5.3 year housing land supply (set out in the ALP) is partially reliant on additional housing land being identified through either a review of Neighbourhood Plans or through a Non-Strategic Site Allocations Development Plan Document (DPD). It is vital to consider additional sustainable housing developments in order to contribute to housing land supply and maintain/improve housing delivery rates.

This site was previously considered to be deliverable through the HELAA process and the site is surrounded on three sides by either built or committed residential development and is in close proximity to additional recent approvals for residential development. It is not considered that the development will result in harm to character of the countryside.

There is additional conflict with the development plan in respect of the loss of potentially high value agricultural land. It must be noted that the land is currently used for the grazing of horses and there is no guarantee that if permission was to be refused, that the land would become agricultural land.

It is considered the material considerations set out within this report are such that in accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004, a decision can be taken other than in accordance with the development plan.

It is recommended that the application be approved subject to the following conditions and subject to the signing of a Section 106 which is currently being prepared to cover the items set out below.

HUMAN RIGHTS ACT

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

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

be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A 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 2 years beginning with the date of this permission:-

- (a) Layout;
- (b) Scale;
- (c) Appearance; and
- (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 3 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:

Site Location Plan Dwg. 100 Rev P01;
 Proposed Site Layout Dwg. 101 Rev P03;
 Visibility Splays at Junction with North End Road (Figure 4.1 in the Transport Assessment);
 Swept Path Analysis at Junction with North End Road Dwg. MBSK170518-3; and
 Tree Constraints Plan Dwg. LLD1472-ARB-FIG-002 Rev 00.

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 and mitigation measures as set out within sections 7.0 and 8.0 of the Preliminary Ecological Appraisal by Lizard Landscapes ref LLD1472 Rev 00 (July 2018). The enhancements and mitigation measures shall be implemented as per the document and then 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 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),
- 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 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.

- 8 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.

- 9 The development shall not proceed 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.

- 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 17 dwellings within the permitted development, the improvement works at the A27 / Yapton Lane junction shall be completed and open to the travelling public as shown on i-Transport's drawing number ITB11324-GA-014 Revision C "Proposed extension to A27 Yapton Lane right turn" dated 30/8/17 (available on the Council's website within the Highways England consultation response).

Reason: This is to ensure that the A27 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

- 12 No part of the development shall be first occupied until visibility splays of 2.4 metres by 43

metres 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: In the interests of road safety and in accordance with policies T DM1 and T SP1 of the Arun Local Plan.

- 13 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.

- 14 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.

- 15 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 SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan.

- 16 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.

- 17 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.

- 18 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.

- 19 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.

- 20 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.

- 21 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.

- 22 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.

- 23 As part of the approval of the reserved matters application, the applicant shall include details of security measures to the development layout and to buildings and boundary treatments in accordance with the consultation advice of Sussex Police available on the Councils website. The details to be submitted shall include siting, design and appearance of any measures as well as associated technical details. The approved measures shall then be implemented in full and permanently retained and maintained in good working order.

Reason: In the interests of crime prevention and deterrence and in accordance with policy D DM1 of the Arun Local Plan.

- 24 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.
- 25 INFORMATIVE: 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.
- 26 INFORMATIVE: The applicant is advised to enter into a legal agreement with 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.
- 27 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to the following provisions:

AFFORDABLE HOUSING

30% (10 units) of affordable housing (tenure split of 5 x 2 bed & 2 x 3 bed social rented; and 2 x 2 bed and 1 x 3 bed shared ownership).

PUBLIC OPEN SPACE/PLAY

On site public open space (POS) of at least 2534.4m² (based on 33 dwellings) to include 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.

WSSC INFRASTRUCTURE CONTRIBUTIONS

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

- (1) on internal alterations and reconfiguration to accommodate additional pupils and increase classroom provision at Yapton C of E Primary School (or its successor);
- (2) on additional facilities at Philip Howard Catholic High School;
- (3) on additional facilities at St Phillip Howard Catholic High School Sixth Form;
- (4) on additional stock at Arundel Library; and
- (5) on new anti-ventilation and UHP (ultra-high pressure) equipment which allows the fire service to control access and smoke penetration within the Southern area serving the parish of Yapton.

NHS

A contribution of £41,957 towards the cost of the creation of a new integrated community hub facility at the Croft Medical Centre on Barnham Road in Eastergate to serve the catchment population of this proposed development.

HIGHWAYS

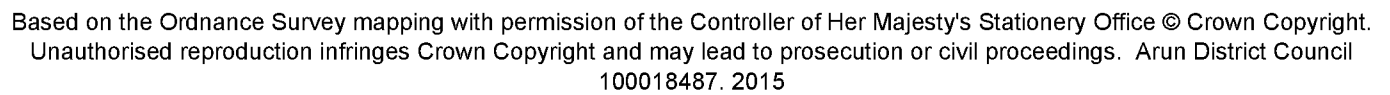
A provision to state that where the developer intends to keep some of the estate roads private we will require provisions in any s106 agreement to ensure that they are properly built, never offered for adoption and that a certificate from a suitably qualified professional is provided confirming their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

28 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 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>.

29 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.

- 30 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.
- 31 INFORMATIVE: If during construction works, it becomes apparent that 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.



Financial obligation(s) summary or change	Trigger Point	Amount	Due to (ADC, WSCC, NHS, other)	Destination/ project	5% or £15,000 for related projects	Spend by restriction
Healthcare contribution	Prior to occupation of 10th market housing unit	£41,957 Index Linked	NHS	For the needs of managing "on the day demand" at The Croft (preferred option) or alternative site (linked to where patients register/receive services) Likely used to assist with the creation of a new integrated community hub facility at the Croft Medical Centre on Barnham Road in Eastergate	n/a	n/a
Primary Education Contribution	Prior to occupation of 10th market housing unit	Formula - see attached WSCC Response for full text	WSCC	Internal alterations and reconfiguration to accommodate additional pupils and increase classroom provision at Yapton C of E Primary School (or its successor)	n/a	n/a
Secondary Education Contribution	Prior to occupation of 10th market housing unit	Formula - see attached WSCC Response for full text	WSCC	On additional facilities at St Philip Howard Catholic High School.	n/a	n/a
6th Form Education Contribution	Prior to occupation of 10th market housing unit	Formula - see attached WSCC Response for full text	WSCC	Additional facilities at St Phillip Howard Catholic High School Sixth Form;	n/a	n/a
Libraries Contribution	On or before commencement	Formula - see attached WSCC Response for full text	WSCC	On additional stock at Arundel Library;	n/a	n/a
Fire & Rescue	On or before commencement	Formula - see attached WSCC	WSCC	Towards new anti-ventilation and UHP (ultra-	n/a	n/a

		Response for full text		high pressure) equipment which allows the fire service to control access and smoke penetration within the Southern area serving the parish of Yapton		
Public Open Space/LAP Maintenance Contribution	Within 2 months of completion of POS/LAP	£13.51 per m2 (only if to be passed to ADC for adoption. Otherwise then a management plan to be submitted	ADC (Sue Howell)	n/a	n/a	n/a

NON-FINANCIAL Obligation Summary	Trigger Point	Due To (ADC, WSCC, Other)	Department/Officer to Confirm Compliance
Affordable Housing - 30% (10) affordable homes on-site. Arjan de Jong to advise on mix	Not to occupy or cause to allow to occupy more than 50% of the market housing units in the development until the affordable housing is provided on the land	ADC	ADC – Arjen de Jong
Provision of POS area and a LAP & LEAP within it	Completed no later than occupation of 25th market housing unit	ADC	ADC – Sue Howell
Where the developer intends to keep some of the estate roads private, WSCC 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.	n/a	WSCC	WSCC

PLANNING APPLICATION REPORT

REF NO: CM/4/19/PL

LOCATION: Land south of the A259
Grevatt's Lane
Climping
BN17 5RE

PROPOSAL: Construction of a crematorium comprising of a crematorium building & associated structures, car parking, access & landscaped spaces. This application is a Departure from the Development Plan.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposed development is to create a modern crematorium facility with a building in a contemporary style, with tiered, curving, vegetated roofs. The building will incorporate a vestibule and waiting areas, chapel, cremation equipment, ancillary office spaces and a "Changing Places Toilet" facility. It has been designed so that mourners will enter the chapel from the southern entrance and exit via the western exit lobby into a covered walled floral tribute area incorporating a pergola and water feature.

The site consists of a rectangular piece of land 18 metres wide by 30 metres deep situated to the south of the A259. The crematorium building will be situated centrally within the site and comprise a predominantly single storey complex. The layout is similar to the Applicant's existing premises at The Oaks Crematorium, Barton Road, Havant which was designed to sit within a defined settlement gap. The building would be a low scale design and use of appropriate elevational treatment.

The proposed building will be set well away from Grevatt's Lane by approximately 150 metres. To the front of the building a car park will be provided. The main car park will provide for 95 car parking spaces and 24 cycle parking spaces in total. Around the outside of the car park a driveway will be provided for use of hearses.

In addition to the main car park an overflow car park will be provided for an additional 55 cars. This would be surfaced in geotextile and grass seeded and would only be subject to infrequent use. The car parking echoes the shape of the building and is separated by trees and low planting.

Aside from the building and the parking areas the proposal would involve landscaping of the remainder of the site. Such

landscaping for the most part would involve low level shrubs and ornamental feature trees.

The site will be accessed from a new access off the A259 close to the existing farmer's access in the east of the site. A new right turning lane for traffic approaching the site from the east will be provided to prevent hold ups on the A259. This will require using part of the existing wide verge.

The chapel would provide seating for 84 people and employ 6 members of staff.

SITE AREA

4.5 hectares.

TOPOGRAPHY

Predominantly flat.

TREES

None affected by the proposed development.

BOUNDARY TREATMENT

Hedges and trees surround field boundaries.

SITE CHARACTERISTICS

The site It forms part of the coastal plain, with the coast line running almost parallel to the A259, 125 metres to the south. The land is currently an arable field with no trees or shrubs within it. However, a strong belt of trees borders the site to the north separating it from the A259. The southern site boundary follows the Ryebank Rife, a deep ditch which is hedged with mature trees along its course, mostly lying to the south of the ditch with occasional trees on the northern bank. There are banks lining both sides of the ditch to contain overflow water at times of flood.

CHARACTER OF LOCALITY

The site is surrounded on all sides by agricultural land on what is otherwise a relatively undeveloped space between Bognor Regis and Littlehampton. There are, however, exceptions, including Hobbs New Barn commercial estate approximately 300m to the east along Grevatt's Lane and Jaybelle Grange holiday lodges development approximately 600m further east. The main residential areas of Elmer, Climping and the western edge of Littlehampton lie approximately 500m south, 500m north east and 2.5 km east of the site respectively.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Climping Parish Council

Objection:

- The proposed development is within the Gap between Settlements, Littlehampton to Middleton.
- The proposed development is in open countryside.
- There will be an unacceptable impact on the local highways infrastructure. The A259 is already overloaded with long tailbacks at peak times and this development will further increase traffic movements and exacerbate the problem. The junction onto the A259 from the site will be busy creating an additional hazard and adversely affect traffic flows.
- Council notes that there is a pending application for a crematorium on a nearby site and feels strongly that both applications should be considered by the Arun Development Control Committee at the same

time.

Middleton-on-Sea Parish Council:

- This is a Departure from Arun Local Plan.
- Neither the public, officers, councillors or the Planning Inspector identified a need for a further crematorium so the application should be refused.
- It is essential that the gaps between the settlements of Littlehampton and Middleton-on-Sea are maintained. This is particularly important at this location as there is an industrial site just a few hundred yards to the east and this application, if approved, will infill the gap and create a ribbon development along the A259.
- The local bus service data is inaccurate. These timings will not be appropriate for people wishing to attend the crematorium.
- The proposed access to the crematorium is dangerous and flawed.
- The proposed junction is on an unlit section of the A259 with a 60 mph speed limit.
- Based on the Traffic Statement data, traffic speeds are generally in excess of 50 mph. With slow moving corteges using this section of road, it will adversely impact other motorists. This will increase the risk of accidents particularly on winter afternoons when light levels are low.
- The experience of Comet Corner and The Oystercatcher junctions are that it can be particularly difficult to turn right at any time of the day. Fatalities have occurred at both Comet Corner and Oystercatcher junctions.
- If minded to approve the application it is requested that opening hours are limited to 09.00 -17.00 hours on Mondays to Fridays with a maximum number of services limited to 8 per day.

Yapton Parish Council - Objection:

- The proposed development is in open countryside within the Gap between Settlements, Littlehampton to Middleton.
- There will be an unacceptable impact on the local highways infrastructure.
- The Council notes that there is a pending application for a crematorium on a nearby site and feels strongly that both applications should be considered by the Arun Development Control Committee at the same time.

28 Objections:

- This is the Climping gap and needs to be protected. There have been numerous attempts to build on this land and so far all have failed. There is land to the North of the A259 that could be used.
- The A259 is already very busy with traffic queuing at least twice a day. Adding slow moving traffic to this will only make matters worse.
- There is no need for two crematoriums so close to each other.
- Application reference Y/103/18/PL should be approved instead as there is already development on the south side of the A259 and this application does not sever the recently installed shared use foot/cycle path that is on the north side of the A259.
- This is a departure from Arun Local Plan, where there is absolutely no mention for the need for a new crematorium here in Arun.
- It is contrary to the Clymping Neighbourhood Plan, where there is no mention for the need for a new crematorium.
- Application is full of errors regarding flooding, bus services and highway issues and accident levels.
- Due to the direction of the prevailing wind, its location will cause emissions to drift over housing.
- The proposed building is of a poor design. It would be massively visible from the road. Any landscaping of it would be completely out of place in what is flat, arable farming land.
- The site is not accessible by public transport as buses do not stop near it. Pedestrians would have to walk along the newly built cycle path as there is no pavement on the south side of the A259. Crossing the road would be extremely dangerous.

7 Support:

- There's a demand locally for a new crematorium.
- It will not cause any issues with residents nor affect other road users drastically.
- Would like a condition to control air pollution.
- Climping is ideally placed to address a lengthy wait for a slot at the inadequate facility at Chichester and a long distressing drive in unpredictable traffic to Worthing.
- The venue at Climping is a social need, a necessity for the wellbeing of the surrounding communities.
- There is no doubt that the Bognor Regis area would benefit from a crematorium since Chichester gets very crowded and has high charges because of the lack of competition.
- This proposal is well placed and well landscaped compared to existing Business Park which is an eyesore.
- As an Independent Funeral Directors based in West Sussex from our perspective we are aware that with a growing population and influx of new homes, there is a need for a purpose built facility that meets all modern day regulations without impacting on the environment. As well as providing respectful funeral services for future generations.

COMMENTS ON REPRESENTATIONS RECEIVED:

The points are noted and where relevant considered in the conclusions section.

Whilst it is accepted that there are no crematorium allocations or policies in the development plan, this should not be taken to mean that there is no need for a crematorium. The Council is not required to plan for new crematoria and it should be noted the NPPF does not contain policy guidance on the need to plan for crematoria or burial grounds.

The comments are noted and where relevant considered in the conclusions section or covered by points made elsewhere in this section. The condition proposed by Middleton Parish Council regarding operating hours is to be imposed albeit also with opening on a Saturday.

OTHER REPRESENTATIONS:

The Conclusions section assesses the issues raised by other representations.

The two applications will be heard at the same meeting.

CONSULTATIONS

Environmental Health

Arboriculturist

Parks and Landscapes

Engineering Services Manager

Engineers (Drainage)

Surface Water Drainage Team

Ecology Advisor

WSCC Strategic Planning

Highways England

Environment Agency

Economic Regeneration

Archaeology Advisor

Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

County Highways - No Objection.

A stage 1 Road Safety Audit has been undertaken on the site access proposals and highlighted 11 issues to be addressed, 10 of which are accepted with additional information provided or to be addressed at the detailed design stage.

One area where the designer did not agree with the auditor is the recommendation to reduce the speed limit over the section of highway. An exception report has been prepared by the applicant and has been accepted by WSCC as the highway authority.

Economic Development - No Comment.

West Sussex County Drainage Engineer - No Objection.

The site is at low risk from surface water flooding. The majority of the proposed development is shown to be at high risk from ground water flooding based on the current mapping.

Ecology Officer - No Objection.

The hedgerows on site are used by bats for commuting and foraging and will need to be retained and enhanced for bats. This will include having a buffer strip around the hedgerows (5m) and during construction fencing should be used to ensure this area is undisturbed. Any gaps should also be filled in using native hedge species to improve connectivity. Where any hedge is to be removed as detailed within the survey, new hedgerow should be planted and controlled by condition.

The lighting scheme for the site will need to take into consideration the presence of bats in the local area.

In certain case a full mitigation strategy for water voles may be required.

Hedgerows and scrub land around the perimeter of the site must be retained due to the likely presence of reptiles. If this is not possible full reptile surveys would be required.

Archaeology Officer - No Objection.

Condition requested.

Highways England - No Objection.

We are satisfied that the proposals will generate an acceptable change in traffic on the Strategic Road Network(SRN). We therefore consider that the development will not materially affect the safety, reliability and/or operation of the SRN in this location and its vicinity.

Environment Agency - No Objection. Conditions requested.

Environmental Health - No Objection. Conditions requested.

Drainage Engineer - No Objection. Request that the surface water drainage is conditioned.

Landscape Officer - First Response. Objection. Landscape information submitted within this application is significantly insufficient in detail.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Outside Built Up Area Boundary.
Within Settlement Gap.
Classified Road.

DEVELOPMENT PLAN POLICES

Arun Local Plan 2011 - 2031:

SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
SDSP3	SD SP3 Gaps Between Settlements
CSP1	C SP1 Countryside
GISP1	GI SP1 Green Infrastructure and Development
LANDM1	LAN DM1 Protection of landscape character
DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
ENVSP1	ENV SP1 Natural Environment
HERSP1	HER SP1 The Historic Environment
ENVDM5	ENV DM5 Development and biodiversity
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
QEDM2	QE DM2 Light pollution
QEDM3	QE DM3 Air Pollution
QESP1	QE SP1 Quality of the Environment

<u>Clymping Neighbourhood Plan 2015 Policy CPN10</u>	Protection of high grade Agricultural Land
Clymping Neighbourhood Plan 2015 Policy CPN11	Quality of Design
Clymping Neighbourhood Plan 2015 Policy CPN12	Reducing the risk of flooding
Clymping Neighbourhood Plan 2015 Policy CPN14	Traffic and the Environment
Clymping Neighbourhood Plan 2015 Policy CPN7	Protection of open views
Clymping Neighbourhood Plan 2015 Policy CPN8	Protection of Trees and Hedgerows

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.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

The relevant policies of the Climping Neighbourhood Plan are considered in this report.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal is considered to conflict with the relevant Development Plan policies in that the proposed site lies in the countryside and the proposal does not meet any of the criteria in the policies of the development plan with respect to new development in the countryside. The proposal results in the loss of moderately high value (grade 3a) agricultural land and some of the site is in an area at high risk of flooding.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background as detailed in the Conclusion section. These are as follows:

- (1) The quantitative and qualitative need for the proposed crematorium as evidenced by the submitted Need Assessment and also by application Y/103/18/PL for a site to the west of the application site;
- (2) The assessment of other suitable sites within the Arun District;
- (3) The National Planning Policy Framework and associated planning practice guidance;
- (4) The presumption in favour of sustainable development;
- (5) The requirements in respect of location constraints as set out in the 1902 Cremation Act;

CONCLUSIONS

PRINCIPLE

Policy C SP1 Countryside of the Arun Local Plan relates to development of land outside of the defined built up area Boundaries (BUAB) and ensures that it "will be recognised for its intrinsic beauty". This policy sets out the types of development which will be permitted in the countryside. Crematoriums are not mentioned specifically anywhere in this policy or within the Local Plan and as such the proposal is contrary to adopted countryside policy. However crematoriums are often considered to be antisocial and not welcomed near to residential areas and as a result are often located in the countryside.

Climping Neighbourhood Development Plan:

The Climping Neighbourhood Plan (CNDP) was made in January 2016 on the basis of saved policies in the 2003 Arun Local Plan and draft policies in the 2014 publication version of the then emerging Arun Local Plan. The site lies outside the BUAB in the CNDP and therefore is also defined as countryside.

SETTLEMENT GAP POLICY

Policy SD SP3 of Arun Local Plan relates to development in Gaps between Settlements. The site lies in

the Littlehampton to Middleton-on-Sea Gap. It states the generally open and undeveloped nature of the gaps identified on the Policies Maps will be protected to prevent coalescence and retain their separate identity. Development will only be allowed where:

- It would not undermine the physical or visual separation of settlements.
- It would not compromise the integrity of the gap either individually or cumulatively with other existing or proposed development.
- It cannot be located elsewhere.
- It maintains the character of the undeveloped coast.
- Or if a subsequent DPD or Neighbourhood plan deems it appropriate through an allocation.

Buildings and hard surfaces in this case would account for a small proportion of overall site coverage, in this case less than 20% overall. The site coverage of the building constitutes less than 4% of the total site area.

The new building will be single storey, flat-roofed and low height, which will enable it to assimilate discreetly into its landscaped setting. Given the landscaping that will both be retained and provided at the site boundaries the low scale of the proposed building is such that it will be well screened in longer distance views across the settlement gap.

The remainder of the site will be landscaped, and on that basis therefore, it is clear that the majority of the site, in excess of 80% will remain open and free of buildings or hard surfaces. This reduces the impact on the settlement gap and preserves its integrity.

The submitted accompanying Needs Report and Site Alternative Sites Assessment demonstrates why the application site was selected for the development. Section 6 of this Statement and the accompanying Landscape and Visual Impact Assessment, Landscaping Strategy and Landscape Plan demonstrates how the proposal has been designed to blend into the existing landscape, resulting in limited impact on wider views towards the site and limited impact on the landscape character of the area or integrity of the settlement gap.

LOSS OF AGRICULTURAL LAND

Policy SO DM1 'Soils' of Arun Local Plan confirms that, unless designated by the Local Plan or a Neighbourhood Plan, the use of Grades 1, 2 and 3a of the Agricultural Land Classification for any form of development not associated with agriculture, horticulture or forestry will not be permitted unless need for the development outweighs the need to protect such land in the long term. Policy CPN10 of the Neighbourhood Plan 'Protection of High Grade Agricultural Land' reflects this and advises that development will not be permitted on the best and most versatile agricultural land unless there are special circumstances which include whether is an overriding need for the development in the proposed location. The proposal, being on soil graded 3A, conflicts with these policies in principle but for the reasons set out below there is considered to be adequate justification for an exception.

The application is accompanied by an Agricultural Land Quality Report which assesses the land to be grade 3A land. In this case the proven need for the proposed development is considered to be the overriding factor. Evidence suggests that the majority of land in this area is either already identified as, or anticipated to be higher grade agricultural land.

OTHER MATERIAL CONSIDERATIONS:

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."

It is considered that there are other material considerations to warrant a decision to be made in conflict with ALP policies C SP1, SDSP1, SDSP2 & SO DM1 and with CNDP policy CPN10. These will now be discussed under the following headings:

1) The Quantitative and Qualitative Need for the Proposed Crematorium;

The Council has two applications (this and Y/103/18/PL) for a Crematorium with only 660m between the two. It is not considered likely that there is sufficient need to support both.

The application is supported by an Alternative Sites Assessment and a Crematorium Needs Assessment which identifies that existing crematoria facilities within the search area are amongst the busiest in southern England, suggesting that they are subject to heavier demand than average. It highlights that there appears to be a particular shortfall in capacity in the area around Worthing and Bognor Regis, where demand is only currently met by two existing facilities or by travelling further afield. Therefore, this area would be a reasonable location in which to provide additional crematoria facilities.

Although there are already crematorium facilities within the region evidence points to those crematoria being stretched in terms of capacity, which can lead to longer than ideal lead in time for cremation services. The proposed development will offer additional capacity locally, reducing wait times and provide a new, modern and purpose-built facility. The new facility can also be built to up-to-date environmental standards and offer people greater choice of where to cremate their loved ones with less time pressure on services that take place.

The applicant has identified a need for a new crematorium premises within the area based upon an assessment of local demographics and the high demand for existing crematoria in the area. They consider that there is a functional need for an additional crematorium facility within the area.

In 2017 the total number of deaths for the four Local Authorities of Chichester, Arun, Worthing and Adur, the highest contributor was Arun at 38%, with 25% from Chichester, 24% from Worthing and 13% from Adur.

The proposed crematorium, by reason of its position would primarily serve a customer base from Bognor Regis and Littlehampton as well as the surrounding towns and villages. Existing crematorium facilities in the region are spread out around the main centres of population.

Statistics from the Cremation Society of Great Britain for 2017 show that Worthing Crematorium was the third busiest crematorium in the UK by the overall number of cremations undertaken that year (3,626). By the same measure Chichester Crematorium is less busy, handling a total of 1838 cremations in 2017, but that still makes it amongst the more intensively used crematoriums in the country.

In terms of the possibility of expansion of existing crematoriums at Chichester and Worthing it is notable that Chichester Crematorium is within the built-up area of the city and is constrained by built development on all sides. Worthing by contrast is in a more rural location but in the South Downs National Park where significant expansion may be difficult due to environmental impact.

The future additional demand may or may not be able to be met by the existing facilities, and whilst it is of course the case that people have the choice to travel to crematoria further away if they wish, to do so does not represent a sustainable solution, and nor should they be obligated to do so. There is a clear quantitative need for a new crematorium in this location.

(2) The Availability of other Suitable Sites within the Arun District;

A site assessment was carried out which sought to identify which is the most appropriate site for the proposed use and whether there are any suitable, available and viable alternative sites for the development that may be in more preferable locations. In order to carry out the site search it was necessary to identify the minimum site requirements for the proposed development, as that is a starting point for defining what sites are reasonable alternatives. In this case the minimum site requirements are;

- A site area of at least 4 Ha, which is considered the minimum necessary to provide sufficient space for a crematorium building, car parking and landscaping.
- Appropriate access (direct access to highway and other established infrastructure).
- The site should be free of any significant on site ecological or topographical constraints.
- A separation of at least 200 yards to the nearest dwelling-house, except with the consent, in writing of the owner, lessee and occupier of that house.

Much of the catchment area is already covered by built development or is within the National Park and must therefore be excluded from this assessment.

(3) The National Planning Policy Framework (NPPF);

The NPPF is an important material consideration in the determination of planning applications. Although there is no reference to crematoria in the document, there is other guidance which is relevant to this application.

Paragraph 83 which states planning decisions should enable: (a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well designed new buildings.

Secondly, paragraph 84 which advises that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport.

(4) The Presumption in favour of Sustainable Development;

Policy SD SP1 'Sustainable Development' of the Arun Local Plan confirms that the Council will take a positive approach that reflects the presumption in favour of sustainable development in the NPPF and that it will work pro-actively with applicants to jointly find solutions which mean proposals can be approved wherever possible.

The NPPF defines the achievement of sustainable development as meeting three interdependent objectives - economic, social and environmental. These need to be pursued in mutually supportive ways.

It is not considered the location of the site is sustainable from the point of view of access by non-car modes of transport. Demand for the facility is unlikely to be local enough to mean that there will be many visitors walking, cycling or taking the bus to access the site. Although there are bus stops on the A259 close to the junction with The Street, the bus service is not considered to be sufficiently regular to prove attractive to staff members. It is noted there is no pavement or street lighting on the southern side of the A259. It is accepted that staff and locally based guests could cycle to the site given the flat landscape and the cycle path along the A259.

There will be environmental costs in respect of the loss of some grassland wildlife habitat and a visual

change to the landscape. The proposal demonstrates environmental gains through biodiversity enhancements. In the long term additional planting will result in a benefit to the local landscape.

A new Crematorium located between existing facilities at Chichester and Findon will mean people in the areas between the two existing facilities will have less far to travel to access a crematorium. Therefore, these visitors will not contribute to congestion on certain roads between their homes and the existing facilities such as the A27 and its pinch points around Arundel, Chichester and Worthing. The location of the Crematorium reduces travel time that would have been necessary to the existing facilities and result in lower vehicle emissions. However, there will be a similar amount of people accessing the new site as would access the existing facilities.

The proposal will result in new employment & other economic benefits and meet an existing social/community need. There is a loss of agricultural land to consider, however the impact will be small scale and will be much lower than the value of the new crematorium business.

On balance it is considered that the proposal does represent sustainable development and would therefore comply with policy SD SP1

(5) The 1902 Cremation Act;

The 1902 Cremation Act sets out locational criteria for new crematoria. It states crematoria must be at least 200 yards (183 metres) from any dwelling unless the owner, lessee or occupier has given their consent in writing, and at least 50 yards (46m) from a public highway.

This effectively means that it is not possible to develop crematoriums in or adjoining the built up area boundary and pushes the search for new sites into the countryside.

The edge of the site is around 500m from the nearest residential dwelling.

(6) Decisions taken elsewhere in the South East for new Crematoriums in the Countryside.

The officer report for a proposal at Horam in the Wealden District (App ref WD/2016/2533/MAJ) stated:

"There is a quantitative and qualitative need for a crematorium in this area. This consideration is one of considerable weight in favour of the proposal. As any new crematorium would have similar implications for openness and countryside character this adds further weight to this finding. The applicant has been reviewing other sites for some time. Whilst no applications have ever been lodged, this is because few if any sites have come up. Those that have come to the market were in considerably more restricted locations and/or remote from the main highway network. There is no other realistic option that would have less of an impact on the countryside than the proposal. This is a matter of further weight in favour of approval."

And that:

"It is also material that The Cremations Act advises that crematoria sites should be at least 200 yards (183 metres) from any dwelling unless the owner, lessee or occupier has given their consent in writing, and at least 50 yards (46 metres) from a public highway. Whilst this would not necessarily preclude urban sites, in order to meet these requirements, there does seem to be support for the contention that crematoria should be situated within rural locations and in all likelihood, within the open countryside. This conclusion is consistent with the views reached by Inspectors on several appeal decisions dealing with crematoria even where within more protected landscapes."

Summary of Material Considerations

Although the principle of development on this site in the countryside is considered to be contrary to the development plan, it is considered the proposal represents sustainable development and that other material considerations as set out above (including the need for the proposal and the need for a countryside location) combine to allow for a decision to be taken to allow the principle of development on this countryside site and the loss of the grade 3a agricultural land.

Whilst there are constraints in this location, in particular the settlement gap designation, it is considered that those constraints can be satisfactorily addressed through design. A crematorium use is for the most part open and can therefore be integrated successfully into a countryside setting. The gardens and landscaped spaces preserve openness, and buildings and the visual impact of gardens and buildings can be ameliorated through design (discussed in further detail below). Therefore, the principle of a crematorium development within the settlement gap is considered to be appropriate having regard to the need that exists in this case.

The site is relatively more visually contained than some of the other search areas by reason of hedgerows and tree belts. It is also well located within the entire search area by virtue of being on the main road between the two largest centres of population within the catchment area for the proposed crematorium. The site is large enough for the proposed use, with direct access onto the A259, and the land is known to be available. This contrasts with other parts of the search zone where land owners may either have no aspiration towards a land sale, or alternatively be holding out with a view to a potential higher value land sale in future the proposed site represents the most viable, accessible and sustainable site for a crematorium within the search area.

HIGHWAY SAFETY, TRAFFIC & PARKING

The application is supported by a Stage 1 Safety Audit and Designers Response. A swept-path assessment for a large refuse vehicle measuring 10.2m in length has been undertaken in accordance with Arun's refuse collection requirements, which is the largest typical vehicle anticipated to regularly and frequently visit the site.

A drawing has been provided to demonstrate forward visibility along Grevatt's Lane to a vehicle turning left into the site and waiting to turn right into the site, which demonstrates maximum achievable forward visibility of over 470m in each direction within the highway boundary.

A second drawing has also been prepared to demonstrate visibility in accordance with the speed limit of 60mph (215m). Highway works comprise the provision of a proposed ghost island right-turn junction access arrangement on land to the south of A259 Grevatt's Lane. In accordance with WSCC's requirements a pedestrian refuge island will be provided measuring 2.5m in width and 2.8m in length.

The main car park will be hard surfaced and provide for circa 100 car parking spaces and 24 cycle parking spaces in total. Around the outside of the car park a driveway will be provided for use of hearses and other similar vehicles.

In addition to the main car park an overflow car park will be provided for an additional circa 60 cars. The overflow car park would only be subject to infrequent use because for day to day use the spaces in the main car park would be ample to meet the needs of the development. In the normal operation of the crematorium there would only be one ceremony taking place at a time, and only in busy periods would people be waiting for the following ceremony. The overflow parking would only be needed during those occasions where a service has a particularly large number of guests.

Policy T SP1 'Transport and Development' of the Arun Local Plan requires new development to provide

safe access on to the highway network, provide sufficient on-site parking, contribute to highway improvements, and promote sustainable transport and Policy CPN14 'Traffic and the Environment' of the Neighbourhood Plan confirms that development which will have a detrimental impact on highway safety and the living conditions of residents will be resisted.

Policy T DM1 'Sustainable Travel and Public Rights of Way' of the Arun Local Plan requires new development to ensure ease of movement, prioritising safe pedestrian and cycle access to the green infrastructure network and access to public transport and community transport services where a need has been identified.

The proposal will provide a new access onto Grevatt's Lane which will be located and designed to ensure the required highway visibility to provide safe access and egress from the site.

Sufficient on-site parking is proposed to accommodate the operational needs of the development, together with an additional overflow parking area to accommodate the rare, particularly busy occasions which may require additional parking. It will not prejudice existing pedestrian and cycle access to the green infrastructure network.

The site is located within relatively close proximity to the built-up area and within easy access to the nearby coastal towns, including by public transport, with the site being within walking distance of bus stops providing services to within the crematorium catchment area. The application is accompanied by a supporting Highways Report which demonstrates that the proposal will preserve highway safety.

WSCC Highways are the Council's technical experts on such matters and given they raise no objections (and indeed support the application), it is not considered a refusal on the grounds of highway safety or highway convenience could be sustained on appeal. It is considered the proposal accords with the relevant development plan policies and with the NPPF in terms of highway safety.

DESIGN, LANDSCAPE & VISUAL AMENITY

Policy D DM1 of the Arun Local Plan requires the Council seek to make the best possible use of land by reflecting or improving upon the character of the site and the surrounding area. It requires the Council to consider scale, massing, aspect, siting, layout, density, building materials, landscaping, and design features. The policy requires that the scale of development keeps within the general confines of the overall character of a locality. It states that all development will be expected to incorporate existing and new tree planting as an integral part of development proposals. ALP policy D SP1 "Design" requires development to make an efficient use of land and also reflect local character.

Policy LAN DM1 of the ALP builds on the above by seeking that the setting of the South Downs be protected.

Policy CPN7 'Protection of Open Views' of Climping Neighbourhood Plan requires all new development protect the open landscape character of the countryside, with the Climping Character Assessment being used as a reference to assess the impact of the proposals. For the reasons set out below the submitted scheme would meet these criteria.

Regard should be had to paragraph 127 of the NPPF which requires that planning policies and decisions should ensure that developments are sympathetic to local character while not preventing or discouraging appropriate innovation or change. Paras 122 and 130 are relevant. Para 130 states planning permission should be refused for development that fails to take opportunities available for improving character and quality of an area and the way it functions.

A Landscape and Visual Impact Appraisal (LVIA) has been submitted with the application. The site lies in

an area of open countryside. It forms part of the coastal plain. A public footpath runs along the western boundary of the site, linking Middleton on Sea and Yapton, part of a comprehensive network of footpaths in the area.

The land is currently a field with no trees or shrubs within it. However, a strong belt of trees borders the site to the north separating it from the A259. The southern site boundary follows the Ryebank Rife, a deep ditch which is hedged with mature trees along its course. There are banks lining both sides of the ditch. Overall the countryside to the south of the A259 consists of fields divided by areas of woodland and shelterbelts.

There are no views from the site of the coast owing to the abundant vegetation between nor is there a view to the South Downs owing to the tree belt along the A259.

The most recent landscape Character assessment was carried out on behalf of Clymping Parish Council in January 2015 in order to inform the Neighbourhood Plan. They divided the Parish into 5 character areas of which the first and last are relevant to this proposal:

- o The Open Countryside.
- o The Beach and Clymping coastline.
- o Traditional Clymping.
- o Horsemere Green and recent associated housing developments.
- o Along the A259.

The value to Clymping of the flat open arable farmland and countryside that separates it from neighbouring Parishes is paramount. "This separation is important to the village's distinctive identity" The paragraph titled Design Guidance for the Open Countryside reads:

"There are many open views toward Arundel and the South Downs, of the River Arun valley and to the coast and sand dunes which are important to retain".

The scheme includes landscaping which has been designed to mitigate identified visual and landscape effects. These proposals have taken on board the landscape management guidelines of the West Sussex County Council Landscape Character Assessment and the design guidance in the Clymping Character Assessment. Rather than screening the development the landscape proposals seek to integrate the proposals into the wider landscape and to provide ecological linkages in accordance with the objectives of the Local Plan to enhance the biodiversity and the appearance of the landscape.

Policy GI SP1 Green Infrastructure and Development of the ALP encourages all major developments to be designed to protect and enhance Green Infrastructure (GI) assets and the connections between them and specifically mentions that "The Green Infrastructure Network must be protected from light pollution". The GI study in paragraph 7.3.8 of the Arun Local Plan, identified a number of opportunities to strengthen the GI network and specifically noted the opportunity to strengthen the network within Gaps. The proposal would accord with these criteria.

A new 7 metre wide tree belt is proposed along the eastern site boundary to replicate the tree belts in the landscape further to the south. Screen planting is also proposed along the eastern edge of the public footpath to bolster the existing planting along this boundary; within the northern boundary of the site to the A257 and along the southern boundary to the Ryebank Rife. Native tree and shrub planting are proposed along these boundaries which will function as a continuation of the existing tree belt to the south, providing a new ecological corridor linking the roadside trees along the A259 to the existing woodland to the south.

The remainder of the site will be sensitively landscaped in grass with mown paths cut through it, with

more formal gardens along the site's eastern boundary. The car parking will be softened by planting of curving lines of ornamental trees.

Owing to the flat nature of the landscape and the preponderance of woodland and hedgerows through this part of the Coastal Plain, the Study Area chosen is quite small. The main effects will be experienced up to 500 metres from the site with some minor effects up to 1000 metres from the site.

The creation of a new access off the A259 and the resultant road widening will require the loss of some of the existing roadside vegetation, but this has been kept to a minimum and new planting to the south of the site boundary within the site will compensate for any minor losses.

In landscape terms the characteristics of the site can accommodate the development proposed without undue adverse effects. This is based on the flat and wooded nature of the landscape, limiting visibility of the site and to the low profile design of the new crematorium.

The amount of new built development results from the functional requirements of the proposal. The building is relatively small, with a footprint of circa 1000 sq m. The site coverage of the building constitutes less than 4% of the total site area.

The new building will comprise a high-quality contemporary single storey flat roofed building with rendered walls under a grass roof. The building has been designed to fit discreetly within the predominantly landscaped site, so that it will be visually unobtrusive in the landscape, having regard to the location of the site within the settlement gap, by means of its small footprint, low height and appropriate design and materials.

The elevations of the building will be finished in a combination of render and timber cladding, with the timber utilised on the tallest part of the building, that being the chapel area.

Policy D SP1 Design requires all development proposals to seek to make efficient use of land whilst reflecting the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details. It advises that development proposals should have been derived from a thorough site analysis and contextual appraisal; adherence to objectives informing sustainable design; and the influence these objectives have on the form of development.

Policy D DM1 'Aspects of Form and Design Quality' confirms the aspects of design that the Council will have regard to when considering development proposals, namely: character; appearance/attractiveness; impact; innovation; adaptability; crime prevention; trees and woodland; solar gain; public realm; layout-movement; layout-legibility; public art; density; scale; and aspects of form and design quality. Policy CPN11 'Quality of Design' of the Neighbourhood Plan requires new development to be of a high-quality design and to protect and enhance the local character. The policy lists the criteria which comprise good design, including responding to, and integrating with, the local built environment and landscape context as described in the Climping Character Assessment.

The proposal would not result in substantial harm to the rural character of the locality and the landscaping will, in time, screen the site from view and enhance the wider landscape. The proposal accords with ALP policies D DM1, SDSP3, D SP1 & LAN DM1 and policy CPN 7 with the relevant guidance on design within the NPPF.

FLOODING

The site lies partially within the Environment Agency flood zones 2 and 3 requiring compensatory water storage areas to be provided within the layout of the site. It is intended that this storage will be provided in the form of new ditches and swales.

The proposed crematorium building would be located within the part of the site identified as flood zones 1 and 2, and therefore falls partially within the flood zone. Ideally the building would be relocated to a position within flood zone 1 only in order that it would be entirely outside of the flood zone. However, in this case that is not possible due to the legislative requirement that new crematorium buildings not be located within 45 yards of a public right of way, which includes those on the north and west site boundaries. The memorial gardens to the rear of the crematorium building will fall within flood zones 2 and 3, but those elements of the proposals are not flood sensitive.

Policy W DM2 'Flood Risk' sets out the Council's criteria for allowing development in areas at risk from flooding, including the requirement to meet the sequential test, provide a site-specific Flood Risk Assessment, and identify adaptation and mitigation measures. This is reflected in policy CPN12 of the Neighbourhood Plan.

Chapter 14 of the NPPF is concerned with meeting the challenge of climate change, flooding and coastal change. Paragraph 155 confirms that inappropriate development should be avoided in areas of highest risk of flooding and steering new development to areas with the lowest risk of flooding. Paragraph 163 confirms that when determining planning applications, LPAs should ensure that flood risk is not increased elsewhere, and that, where appropriate, applications should be accompanied by site-specific flood-risk assessment.

Given the location of the crematorium building within an area of flood risk then in accordance with paragraph 158 of the National Planning Policy Framework the 'Sequential Test' needs to be applied to the proposed development. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available appropriate sites for the development in areas with a lower risk of flooding.

In accordance with this guidance it needs to be considered whether there are any reasonably available alternative appropriate sites for the development in areas outside of the flood zone. Fundamentally any potential 'available' site would either need to be already earmarked for such a development in the development plan, or be known to be available to the developer by reason of being on the market.

Any available land would then need to be assessed for its appropriateness to accommodate the proposed development. When considering appropriateness, in the light of a crematorium development, an assessment is required of a combination of factors including its locational requirements, planning policy constraints and also the legislative requirements.

The Alternative Sites Assessment report that accompanies the application sets out the process by which the search for a crematorium site was undertaken, the need for the use in this location already having been established. No land was identified as being available by the Applicants except for the land on the southern side of the A259. Much of this land is, like the application site, within the flood zone and therefore no more sequentially preferable in flood risk terms than the application site. Whilst the application has been submitted at the same time as that at 10 Acre Field (Y/103/18/PL) this application is to be determined at the same committee and there is currently no approved alternative site.

In landscape terms the proposed development site is considered to be the most appropriate location within the parcel of land on the southern side of the A259 that is available to the applicants. Whilst some of the neighbouring land falls outside of the flood zone now it is notable that all of it will fall within the flood zone once flood levels are adjusted accounting for climate change (see the FRA report). Therefore, none of that adjacent land is sequentially preferable to the proposed site.

On the basis of the above considerations it is therefore concluded that the proposals pass the sequential

test in this case. No alternative reasonably available appropriate sites for the proposed development have been identified in areas of lesser flood risk.

Having subjected the proposed development to the sequential test in accordance with the NPPF it may next be necessary to apply the 'Exceptions Test' to the development, as set out in paragraph 159 of the NPPF. In this case however, a crematorium use is a 'less vulnerable' use in flood risk terms and an exceptions test is not necessary in this case.

The proposed building has been designed with its ground floor level at an appropriate height, 4.64m AOD, such that it will be free from the risk of flooding. Additionally, the building will be designed to mitigate against future flood risk through the use of appropriate construction methods, and a detailed flood risk management strategy can be agreed prior to commencement of development through condition.

Policy W SP1 'Water' of the Arun Local Plan encourages new development to incorporate water efficiency measures, make active use of surface water as a design feature, and incorporates measures to improve and enhance waterbodies or provide additional flood relief Policy W DM3 'Sustainable Urban Drainage Systems' requires all new development to incorporate Sustainable Urban Drainage Systems into the design of the development.

The application is accompanied by a Flood Risk Assessment which confirms that the proposed development is appropriate on the site, having regard to the location of parts of the site within the Environment Agency moderate to high flood risk zones. It also demonstrates how the development will incorporate sustainable drainage measures within its design.

The proposal has been assessed by both the Council's drainage engineers and the Environment Agency who have not objected to the proposal on flooding grounds subject to the imposition of recommended conditions.

POLLUTION

ALP policies QE DM1, QE DM2 and QE DM3 seek to protect residential properties from adverse effects of noise, air and light pollution. Policy QE SP1 'Quality of the Environment' requires all new development to contribute positively to the quality of the environment and not have a significantly negative impact on residential amenity, the natural environment, or the enjoyment of leisure and recreational activities.

The 1902 Cremation Act states that crematoriums must be at least 200 yards (183 metres) from any dwelling unless the owner, lessee or occupier has given their consent in writing. The main residential areas of Elmer, Climping and the western edge of Littlehampton lie approximately 500m south, 500m north east and 2.5 km east.

There are no residential properties within the immediate vicinity of the application site. Crematorium emissions are covered by Environmental Health legislation and the applicant will be required to hold the relevant Environmental Permit. The application has been assessed by Environmental Health officers who raise no objections.

It is proposed to impose a condition to require the approval of lighting details post approval. These details would then be subject to agreement with Environmental Health officers and with the Council's appointed ecologist.

In terms of noise, a condition will be imposed to prevent services from being held outside of 9am and 5pm on Mondays to Saturdays with no services on Sundays or Bank Holidays. This will ensure any noise generated by the use will be within standard working hours.

Matters relating to scheme in respect of air quality, lighting and noise are acceptable. The proposal is therefore in accordance with policies QE DM1, QE DM2 and QE DM3 of the Arun Local Plan.

RESIDENTIAL AMENITY

ALP policy D DM1 requires the Council have regard to certain aspects when considering development including having minimal impact to users and occupiers of nearby property and land. D DM4 requires that extensions/alterations: do not have an adverse overshadowing, overlooking or overbearing effect on neighbouring properties. Regard should be had to para 127 of the NPPF which states that development should provide a high standard of residential amenity for existing and future users.

Policy QE SP1 states: "The Council requires that all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity".

The nearest residential property is more than 500m from the site. Therefore, there will not be any impacts on residential properties in respect of overlooking, loss of light or loss of outlook.

It is not considered that there would be conflict with policies D DM1, QE SP1 or para 127 of the NPPF.

BIODIVERSITY

ALP Policy ENV SP1 'Natural Environment' confirms the Council's commitment to encouraging and promoting the preservation, restoration and enhancement of biodiversity through the development process. Where possible new development will be expected to promote the creation of new areas for habitats and species. The development will result in an enhancement of on-site biodiversity through the retention of the existing mature boundary shrubs/hedging and trees together with the creation of new landscaped areas around the new building.

Policy ENV DM1 'Designated Sites of Biodiversity or Geological Importance' advises that development likely to adversely impact on land with designated features of any Site of Biodiversity or Geological Importance will not normally be permitted. The site is not located with a designated site of biodiversity or geological significance and the Preliminary Ecological Appraisal which accompanies the application confirms that there are no protected flora or fauna on site that would be harmed by the development proposals.

Policy ENV DM4 'Protection of Trees' states that new development does not have an adverse impact on existing trees of important amenity value. The application is supported by the required arboricultural reports to demonstrate that the existing visually significant trees adjacent to the site boundaries will be protected during the development. Also, new tree planting will be carried out as part of the landscaping proposals for the scheme.

Policy ENV DM5 'Development and Biodiversity' requires new development to achieve a net gain in biodiversity and protect existing habitats on site. Development should be designed to incorporate elements of biodiversity and landscape features.

Climping Neighbourhood Plan policies CPN8 'Protection of Trees and Hedgerows' and CPN9 Protection of Natural Habitats require new development to protect trees and hedgerows of amenity value. The policy requires development proposals to include a survey that establishes the health and longevity of any affected trees or hedgerows and a management plan to show how they will be maintained.

Para 175 of the NPPF states: "If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a

last resort, compensated for, then planning permission should be refused;"

The application is supported by a Preliminary Ecological Appraisal (PEA) which confirms that no statutory or non-statutory ecological sites are present within 2km and as such no direct impacts on these sites are anticipated.

The built elements of the proposed development would occupy the northern half of the arable field, currently used for growing cereals, and of low ecological value. Site landscaping is proposed to take place in the southern half which would provide protection/buffering/enhancement for features such the Rye Bank Drain and off-site woodland.

The PEA has concluded that the proposed development of the site as a crematorium is unlikely to give rise to significant ecological effects provided that:-

- boundary vegetation is retained and buffered with new planting comprising appropriate species to the locality. Any localised removal to facilitate access is minimised and undertaken outside of the bird nesting season and is accompanied by measures to reduce any potential effects on reptiles;
- the construction and function of the proposed new drains/ditches does not adversely affect the existing ditches (i.e. through sediment mobilisation, major changes in water levels and pollution) and in particular their ability to support water voles (assuming their continued presence);
- a bat friendly lighting scheme is implemented; and
- the proposed site landscaping delivers biodiversity enhancement through the creation of wildflower grassland, woodland and ditches/swales.

Section 16 of the NPPF relates to conserving and enhancing the natural environment. It affirms that the most sensitive habitats and landscapes should be safeguarded. Paragraph 170 confirms that planning decisions should contribute to and enhance the natural and local environment including by: recognising the intrinsic character and beauty of the countryside, including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; d) minimising impacts on and providing net gains for biodiversity e) preventing new and existing development.

The proposal would accord with the NPPF para 175, with ALP policies ENV SP1, ENV DM1, ENV DM4 and ENV DM5 and CNDP policies CPN 8 and CPN 9 .

CLIMATE CHANGE

Policy ECC SP1 'Adapting to Climate Change' confirms that the Council will support development which is located and appropriately designed to adapt to impacts arising from climate change, including the increased probability of tidal and fluvial flooding. The proposed layout and design of the proposal incorporates elements of sustainable design, including the proposed green roof for the building and locally sourced building materials. The proposal has also been designed having regard to the location of the site within Flood Risk Zones 2 and 3, as demonstrated in the accompanying Flood Risk Assessment.

Policy ECC SP2 'Energy and Climate Change Mitigation' advises that all new development will be expected to be energy efficient and demonstrate how it will achieve energy efficiency measures, use design and layout to promote energy efficiency, and incorporate decentralised, renewable and low carbon energy supply systems. The policy requires all major developments to produce 10% of the total predicted energy requirements from renewable or low carbon energy generation on site, unless this is unviable. The development incorporates appropriate elements of sustainable design and these will satisfy the requirements of this policy.

SUMMARY:

The principle of development is contrary to the development plan as it is located in a countryside location, within a settlement gap, in an area partially at high risk of flooding and on grade 3a agricultural land.

The proposal represents sustainable development where the need for a new crematorium has been established. The evidence indicates this is the only available site which meets all of the required criteria. The proposal will make an efficient use of an accessible site. It will provide modern, purpose-built crematorium facilities which are of an appropriate design and will respond positively to the character of the area. It will be readily accessible to the residents of the Bognor Regis and Littlehampton areas and the proposal will preserve the character and appearance of the area, using natural resources, landscaping and appropriate materials.

The siting of a crematorium in the countryside is supported by the NPPF and by decision making elsewhere in the South East. These material considerations are such that in accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004, a decision can be taken other than in accordance with the development plan.

The application is therefore recommended for approval subject to the following conditions.

HUMAN RIGHTS ACT

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

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

APPROVE CONDITIONALLY

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

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

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

Location Plan SC-CLMPG-V1-XX-DR-K-0505 1ST
Site Plan SC-CLMPG-V1-XX-DR-K-0500 revF
Main Building GF Plan SC-CLMPG-V1-00-DR-K-0501 rev B
Main Building FF Plan SC-CLMPG-V1-01-DR-K-0502 revB
Main Building Elevations SC-CLMPG-V1-XX-DR-K-0504 rev C
Main Building Roof Plan SC-CLMPG-V1-XX-DR-K-0503 revB
Book Room Elevations SC-CLMPG-V1-XX-DR-K-0508 1ST

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies QE SP1, D DM1, T, SP1 and CSP1 of the Arun Local Plan.

- 3 The Changing Places Toilet hereby approved as part of this development and shown on drawing SC-CLMPG-V1-00-DR-K-0501 revB "Main Building GF Plan" shall be first laid out in accordance with Arun District Council's "Changing Places Toilet Guidance" dated January 2019 (or any subsequent published version) and provided prior to use of the building. Thereafter, its special features shall be maintained in good working order.

Reason: In the interests of public safety and convenience in accordance with policy D DM1 of the Arun Local Plan.

- 4 The development must be carried out in accordance with the mitigation and enhancement measures as set out within sections 5.0 and 6.0 of the Preliminary Ecological Appraisal by SLR ref 402.05324.00005 (August 2018). The enhancements and mitigation measures shall be implemented as per the document and then 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 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 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

- an indicative programme for carrying out of the works;
- 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, including permitted times for deliveries;
- the storage of plant and materials used in construction of the development;
- the erection and maintenance of security hoarding, including decorative displays and facilities for public viewing, where appropriate;
- 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);
- 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);

- measures to control the emission of dust and dirt during construction;
- Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination; and
- a scheme for recycling / disposing of waste resulting from demolition and construction works.

Reason: In the interests of the amenity of the occupiers of any nearby noise sensitive premises, the general amenities of the area and in the interests of highway safety 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.

- 6 With the exception of the provision of deer proof fencing to the site boundaries, prior to the commencement of development, the developer shall provide a 5m deep buffer zone to the hedges and watercourses along the site boundaries to be secured by temporary security fencing. The habitat within the buffer zones shall be maintained as existing and there shall be no access to these buffer zones during the construction process. Once construction is completed, the fencing shall be removed and the buffer zones left as a natural area for wildlife.

Reason: In order to protect wildlife habitat (bats, reptiles, dormice and water voles) and in the interests of general biodiversity in accordance with policy ENV DM5 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to ensure that the wildlife habitat is protected prior to the start of construction works.

- 7 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.

- 8 The development shall not proceed 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.

- 9 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.

- 10 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 potential archaeological significance in accordance with Arun Local Plan Policy HER DM6. This is required to be a pre-commencement condition because it would not be possible to carry out surveys once the building work has started.

- 11 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

- 12 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 buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character and appearance of the surrounding rural area in accordance with policy D DM1 of the Arun Local Plan.

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

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.

- 14 Piling and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To prevent pollution of groundwater in accordance with Arun Local Plan policy W DM1 and to protect the principal aquifer from contamination in line with paragraph 170 of the National Planning Policy Framework..

- 15 The development hereby permitted may not commence until a foul water drainage scheme has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved and completed prior to the development being brought into use.

Reason: To ensure that the proposed non-mains drainage system does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework

- 16 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (ref 402.05324.00005 version 4 January 2019) and the following mitigation measures it details.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants in line with section 9 of the Planning Practice Guidance of the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change in accordance with policies W SP1 and W DM2 of the Arun Local Plan.

- 17 Before the development is first occupied or brought into use a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall then be carried out as approved and permanently adhered to unless otherwise agreed in writing with the Local Planning Authority.

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

- 18 No part of the development shall be used until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled PROPOSED SITE ACCESS GENERAL ARRANGEMENT and numbered PROPOSED SITE ACCESS GENERAL ARRANGEMENT rev 5.

Reason: In the interests of road safety in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 19 No part of the development shall be first brought into use until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 20 No part of the development shall be first brought into use 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 approved cycle storage/parking spaces shall thereafter be permanently retained in good working condition.

Reason: To provide alternative travel options to the use of the car in accordance with in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 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 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.

- 23 No crematorium services shall take place outside of the hours of 09:00 and 17:00 Monday to Saturdays and there shall be no more than 8 services per day. There shall be no operation on Sundays or Bank Holidays.

Reason: As agreed with the applicant and in the interests of the general amenity of the locality & to minimise the impact of traffic on the road network during peak hours in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 24 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 25 INFORMATIVE: This process may require a permit under the Environmental Protection Act

1990, Environmental Permitting

(England and Wales) Regulations 2010 before operations commence and the applicant is advised to contact the Environmental Health Department on 01903 737755.

- 26 INFORMATIVE: The discharge of effluent associated with this development will require an Environmental Permit under the Environmental Permitting (England & Wales) Regulations 2016, from the Environment Agency, unless an exemption applies. The applicant is advised to contact the Environment Agency on 03708 506 506 for further advice and to discuss the issues likely to be raised. You should be aware that there is no guarantee that a permit will be granted.

Additional 'Environmental Permitting Guidance' can be found at: <https://www.gov.uk/environmental-permit-check-if-you-need-one>.

- 27 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.

- 28 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.

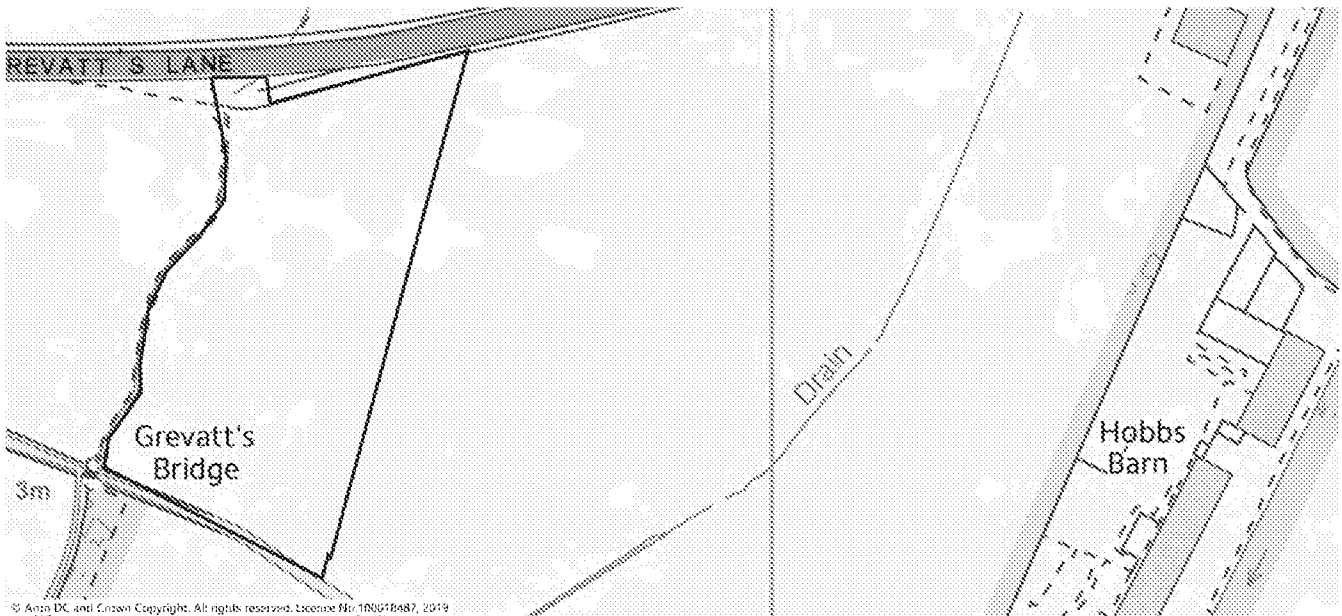
- 29 INFORMATIVE: The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

- 30 INFORMATIVE: Please note as the site is not particularly accessible by public transport it is recommended that the applicant consider the installation of electric vehicle charge points within the development. Installation at the construction stage is more economical and less intrusive than a retrofit and prepares the property for future changes in the vehicle mix, whilst encouraging the uptake of electric vehicles.

- 31 INFORMATIVE: Please note that this development may require an Environmental Permit, a

variation of an existing permit or an exeption from an Environmental Permit form the Environment Agency. The applicant must ensure that the operations at the site are in accordance with the Environmental permitting regulations 2008. The applicant is advised to contact the national Customer contact centre on 03708 506 506.

CM/4/19/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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100018487. 2015

PLANNING APPLICATION REPORT

REF NO: Y/103/18/PL

LOCATION: 10 Acre Field
North of Grevatts Lane
Yapton

PROPOSAL: Single Chapel Crematorium with car parking, landscape works, surface water drainage features & associated highway improvements. This application is a Departure from the Development Plan.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The single chapel crematorium building includes a single cremator and various facilities necessary for the crematorium to function. The majority of the building has a length of 55m but is adjoined by a flat roofed covered porch to a waiting room/toilets area at a right angle to the main building. This area includes a "Changing Places Toilet" facility. The majority of the buildings are single storey albeit there is a small mezzanine plant room area above the cremator. The buildings have pitched roofs mixed in heights between 7.2m, 9.3m and 9.9m. A single flue 13m high extends above the roofs. Materials consist of timber cladding, clay tiles, timber/aluminium windows/doors and brick plinths.

There is to be a secure service yard to the rear and a small pitched roof (7.3m high, 5.9m wide, 7.2m deep) Remembrance Court building to one side of the main building. To the opposite side is a walled floral tribute area. The rest of the site has vehicle parking, access roads and landscaping. Parking consists of 32 spaces in the main car park, 56 in the overspill, 19 in the overflow (on reinforced grass) and 12 staff/visitor spaces. Landscaping consists of native planting, native trees, wildflower meadows and evergreen tree planting. Drainage features (an attenuation basin & a swale) are shown.

The site is accessed from Grevatts Lane West with vehicles encouraged by way of the proposed entrance/exit design arrangement and signage to then head east to a new vehicle access onto the A259. Post approval traffic monitoring will be undertaken and if it is found that a certain number of vehicles are still travelling west from the site to the Bilsham Road junction, then a Traffic Regulation Order will be instigated and two lockable bollards (one in place of an existing farm access gate) will be provided west of the site entrance to prevent non agricultural westbound vehicle movements.

Grevatt's Lane West will be widened within the highway boundary (circa 1.8m) to provide a continuous width of 4.8m. Approximately 10m to the west of the access from the site onto Grevatt's Lane West, the carriageway width will taper to the existing carriageway width of circa 3m.

The new junction onto the A259 will be laid out to deter drivers from turning right onto the A259. The west bound carriageway will be widened to accommodate a 3.5m wide right turn ghost lane so cars waiting to turn right do not hold up other traffic. The existing westbound lane will be 3.65m wide. Approximately 36m to the west of the connection onto the A259 it is proposed the access road, (Grevatt's Lane West) would decrease from 7.3m wide to a width of 4.8m.

The junction onto the A259 includes a crossing point across the access to allow cyclists and pedestrians to continue along the existing shared surface route safely.

The site is anticipated to operate between 09:00 and 17:00 Monday to Friday with potential for Saturday operation. Services are anticipated to last approximately 1 hour - a maximum of 8 services a day. The site will be staffed Monday to Fridays and during weekends as needed. The site is anticipated to have 5 full time staff, with infrequent visits by maintenance personnel and gardeners.

The applicant is Landlink Estates as owners of the land. They advise Dignity Caring Funeral Services are their chosen operator. Dignity currently operate Chichester Crematorium.

SITE AREA

2.47 Hectares.

TOPOGRAPHY

Predominantly flat.

TREES

No trees within the site but some (mature Scots Pines) as part of the eastern boundary. None of these will be affected.

BOUNDARY TREATMENT

Hedgerows with some ditches or open to adjoining land.

SITE CHARACTERISTICS

Agricultural (arable) use.

CHARACTER OF LOCALITY

Rural area being some distance from the nearest built development to the west. Aside from Grevatts Lane West (GLW) to the immediate south, all surrounding land is agricultural. The closest dwellings are to the west fronting Bilsham Road (the closest being at least 270m from the western boundary). There is a small light industrial site to the west with a second access point from GLW also west of the site. This part of Grevatts Lane West is closed to public vehicles and used solely by agricultural traffic. There is a public footpath 250m to the east of the site which turns west and then north of the site at a distance of some 300m.

There are heritage assets in the wider landscape to the west. They include locally listed buildings (84 & 85 Bilsham Road)

and a Grade II Listed Farmhouse (Hobbs Farm House on Bilsham Road).

RELEVANT SITE HISTORY

CM/4/19/PL	Construction of a crematorium comprising of a crematorium building & associated structures, car parking, access & landscaped spaces. This application is a Departure from the Development Plan.	
Y/70/07/	Crematorium with associated car parking, memorial garden and landscaping - Re-submission following application Y/78/06/ (Departure from the Development Plan)	Withdrawn 28-09-07
Y/78/06/	Crematorium with associated car parking, memorial garden and landscaping. (Departure from the Development Plan)	Withdrawn 16-03-07

There have been applications for a crematorium locally (not on the application site). Applications Y/78/06/ and Y/70/07/ proposed a Crematorium on land to the immediate south west of the Grevatts Lane West/Bilsham Road junction. Both applications were withdrawn.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Yapton Parish Council

The full response of Yapton Parish Council is on the Councils website but in summary they OBJECT on the following grounds:

- (1) The need for an additional crematorium has not been identified in the ADC Local Plan;
- (2) The crematorium is not in the original or emerging updated Yapton Neighbourhood Plan;
- (3) The land is good quality agricultural land;
- (4) Access arrangements to Gravett's Lane West, to and from the A259 in close proximity to Comet Corner are not safe unless major improvements are made at Comet Corner. This junction is already dangerous and congested and an additional junction will exacerbate safety issues;
- (5) Safety on the Bognor to Littlehampton cycle route at the new access junction and the proposed cycle route connecting Bilsham Road to the A259 which makes use of Grevatt's Lane;
- (6) Public transport arrangements for access by visitors are not considered to be adequate or safe; and
- (7) An overriding need for a crematorium at this location has not been demonstrated.

Middleton Parish Council object. Their full response is on the Councils website. In summary they raise the following concerns:

- (1) Departure from the Local Plan;
- (2) Should have been allocated within the Local Plan
- (3) Neither the public, officers, councillors or the Planning Inspector identified a need for a crematorium;
- (4) Access is dangerous and flawed;
- (5) Adding a break to the cycle path will encourage cyclists to use the main carriageway; and
- (6) Conditions should be applied to ensure vehicle access is only from Bilsham Road and that opening hours are 09.00 -17.00 hours on Mondays to Fridays with a maximum number of 8 services per day.

Clymping Parish Council object. Their full response is on the Councils website. In summary, they raise the following concerns:

- (1) Development is in open countryside;
- (2) Increased traffic congestion and highway safety issues; and
- (3) Both crematorium applications should be considered by Development Control Committee at the same time.

RESIDENTS:

51 letters of objection have been received raising the following concerns and comments:

- (1) No need for a Crematorium;
- (2) Two existing local crematoriums have no capacity issues;
- (3) Objection is not to the crematorium which is needed but to the location;
- (4) Most crematoriums are sited near urban areas not in the countryside;
- (5) Statement of Community Involvement not detailed enough;
- (6) Loss of good quality agricultural land;
- (7) Land should be given to young people to run as a farm;
- (8) Safety concerns re the A259 and the cycle path;
- (9) Safety concerns exacerbated by emotional state of drivers;
- (10) Contrary to NPPF paragraph 98 ("Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.");
- (11) Severe impact on the highway in contravention of the NPPF;
- (12) Access should be from Bilsham Road with improvements to Comet Corner such as a roundabout;
- (13) Contrary to views of Middleton Parish Council, the junction of Grevatts Lane West with Bilsham Road is dangerous and therefore access should be from the A259;
- (14) Increased congestion on A259;
- (15) The cycling survey undertaken is irrelevant as the cycle path is less than one year old and will become much more frequented as connectivity between other cycle routes is established;
- (16) Issues with the transport documents in particular how and when traffic was counted;
- (17) A better option would be to widen Grevatts Lane West with improved junctions at both ends and allow it to be used as an alternative route to Comet Corner;
- (18) Proposed highway works will result in delays;
- (19) A better location would be on the south side of the A259;
- (20) Would be better located either next to a church or near the A27;
- (21) Not allocated in the Local Plan;
- (22) Not accordance with Government guidance on the siting of new crematoriums;
- (23) Air and ground pollution from cremations;
- (24) Two existing crematoriums in Chichester and Worthing emit fumes over open countryside;
- (25) Visual impact of 13m high flue;
- (26) Noise disturbance and loss of privacy from cars passing the houses on Grevatts Lane West;
- (27) Impact on existing on-street parking for residents on Grevatts Lane West;

- (28) Impact on wildlife (deer, bats, stoats, water voles) who use the application site;
- (29) Loss of Green Belt;
- (30) Crematorium will be a reminder of death & sorrow;
- (31) The two crematorium applications should be decided at the same time;
- (32) Contrary to ALP policy SD SP3 which requires a green gap between Middleton and Littlehampton;
- (33) No site notice at the A259/Grevatts Lane junction; and
- (34) Decision not made by 25/03/19.

COMMENTS ON REPRESENTATIONS RECEIVED:

YAPTON PARISH COUNCIL:

The points are noted and where relevant considered in the conclusions section. In respect of (1) & (2), whilst it is accepted there are no crematorium allocations or policies in the development plan, this should not be taken to mean that there is no need for a crematorium, only that when the development plans were put together, there was no proposals in place. The Council is not required to plan for new crematoria and it should be noted the NPPF does not contain policy guidance on the need to plan for crematoria or burial grounds.

INTERESTED RESIDENTS:

The Conclusions section assesses the application in respect of the principle of development in the countryside, the need for the proposal, the location of the site, agricultural land, the impact on highway safety/traffic congestion, visual amenity, pollution, residential amenity and biodiversity. The following comments are offered in respect of some of the points raised:

- (5) There is no requirement in planning policy to provide a Statement of Community Involvement. The Council cannot determine this application on the basis of the content of this document;
- (10) It is not considered there is a conflict as the plans make provisions for cyclists and pedestrians to cross the road junction with a central reservation to protect them;
- (12) - (13) & (17) There are a lot of differing opinions as to which is the safest way to access the site;
- (18) Delays arising from construction of the highway works will be temporary in nature
- (26) - (27) The proposals make provisions to deter vehicles from heading west along Grevatts Lane West. If a particular number of vehicles doing so is reached then lockable bollards will be installed which will prevent access west along Grevatts Lane West by non-agricultural vehicles;
- (32) The site does not fall in the designated Strategic Gap as shown on the Local Plan Proposals Map.

CONSULTATIONS

Environmental Health
Engineering Services Manager
Engineers (Drainage)
Parks and Landscapes
WSCC Strategic Planning
Arboriculturist
Highways England
Environment Agency
Surface Water Drainage Team
Economic Regeneration

Archaeology Advisor

Ecology Advisor

CONSULTATION RESPONSES RECEIVED:

ENVIRONMENT AGENCY - No objection - the discharge of effluent associated with this development will require an Environmental Permit under the Environmental Permitting (England & Wales) Regulations 2016, from the Environment Agency, unless an exemption applies.

HIGHWAYS ENGLAND - No objection on the basis the proposals generates an acceptable, change in traffic on the A27 and will not materially affect the safety, reliability and/or operation of the A27.

WSCC HIGHWAYS - No objection subject to conditions and the inclusion in a S106 Agreement of £7,500 towards the costs associated with the implementation of a Traffic Regulation Order (TRO) and £965 towards the costs of installing lockable bollards to restrict vehicle movements along Grevatts Lane West (west of the site access) in association with the TRO.

- Grevatts Lane West is currently gated at a point approximately 100m from Bilsham Road and at its junction with the A259 but is public highway land;
- A road safety audit has been provided for the site access and junction of Gravatts Lane West and the A259 Grevatts Lane. This did not identify any issues with the proposals;
- The applicant has revised the proposals since original consultation response to reduce the number of lanes accessing the A259;
- The applicant has provided additional pedestrian and cycle counts along the A259 to identify the existing usage levels on a weekday and weekend; and
- The applicant has identified measures to deter vehicles from heading west along Grevatts Lane West and these address the County Council's concerns over the use of Grevatt's Lane West.

WSCC FLOOD RISK MANAGEMENT - Raise no objections.

- Current surface water mapping shows the site is at low risk from surface water flooding;
- Any existing surface water flow paths across the site must be maintained or appropriate mitigation strategies proposed;
- A wholesale site level rise via the spreading of excavated material should therefore be avoided;
- The majority of the development is shown to be at high risk from ground water flooding based on the current mapping;
- Where the intention is to dispose of surface water via infiltration/soakaway, these should be shown to be suitable through an appropriate assessment;
- No records of historic surface water flooding within the confines of the proposed site;
- Works affecting the flow of an ordinary watercourse will require ordinary watercourse consent;
- The FRA for this application proposes that sustainable drainage techniques (swales and detention basin) would be used to control the surface water from this development to Greenfield run-off rates; and
- Infiltration methods should be explored for the entire site.

COUNCILS ECOLOGIST - No objections subject to conditions being imposed to:

- Retain and enhance existing hedgerows for bats & dormice;
- Protect hedgerows with a 5m deep buffer zone during construction (for bats and reptiles);
- Ensure the lighting scheme for the site takes into consideration the presence of bats in the local area and avoids unnecessary artificial light spill through the use of directional light sources and shielding;
- Undertake a precautionary approach for reptiles in the small area of grassland on site which needs clearing. This involves any removal of scrub, grassland or ruderal vegetation to be undertaken

sensitively and done with a two phased cut;

- Protect watercourses with a 5m deep buffer zone during construction (for water voles); and
- Prevent any works to trees during the bird breeding season unless supervised by an ecologist.

COUNCILS ARCHAEOLOGIST - No objection subject to a standard condition to evaluate the potential of the site to contain archaeological interest features (likely to be prehistoric burnt mound deposits).

ADC ENVIRONMENTAL HEALTH - No objections subject to a condition on construction hours of working and a condition to require approval of a construction environmental management plan.

ADC DRAINAGE ENGINEERS - Note that attenuated discharge is proposed and it must be demonstrated that infiltration has been fully investigated prior to attenuated discharge being agreed. Request that standard drainage conditions be imposed.

ADC ECONOMIC REGENERATION - Offer no comments.

ADC LANDSCAPE OFFICER - No objections subject to landscaping condition and any trees at risk are protected during construction.

- The site is located in a largely open agricultural setting with incomplete screening to surrounds;
- Additional planting would be required to gap up existing and to provide new screening particularly to the long viewpoints and to from views from higher ground to the North and where presently exposed arable field lacking in tree cover;
- Proposed planting would need to be sufficient in height with a mix of tree and shrub species that are sufficiently fast growing to provide a year round screen;
- Any screening needs to provide a good mix of native species which when planted should establish quickly to form a balanced and appropriate planting scheme;
- The proposals could provide opportunity to enhance existing vegetation and to secure on-going management to any structural vegetation to the periphery of the site;
- The landscape scheme should maximise biodiversity with the inclusion of native species and the retention of a variety of habitats; and
- The planting with particular emphasis on screening is recommended to be in place prior to, but no later than the first planting season following the construction of this proposal.

ADC TREE OFFICER - No response received.

COMMENTS ON CONSULTATION RESPONSES:

Noted. WSCC Highways and ADC Environmental Health have asked for measures to be secured by condition in respect of the management of the construction process and it has been decided to combine both sets of requirements into one condition.

POLICY CONTEXT

Designations applicable to site:

Outside the Built Up Area Boundary;
Grade 2 Agricultural Land;
Flood Zone 1; and
Area of Special Control of Adverts.

DEVELOPMENT PLAN POLICES

Arun Local Plan 2011 - 2031:

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
ENVSP1	ENV SP1 Natural Environment
HERSP1	HER SP1 The Historic Environment
HERDM1	HER DM1 Listed Buildings
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
LANDM1	LAN DM1 Protection of landscape character
QEDM2	QE DM2 Light pollution
QEDM3	QE DM3 Air Pollution
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SODM1	SO DM1 Soils
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management

<u>Yapton neighbourhood plan 2014 Policy BB1</u>	Built-up Area Boundary
Yapton neighbourhood plan 2014 Policy E1	Protection of high value agricultural land
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 E5	Enhancement of biodiversity
Yapton neighbourhood plan 2014 Policy E11	Minimising the impact of flooding from development
Yapton neighbourhood plan 2014 Policy KS21	Retention of community facilities

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.

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

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

The relevant policies of the Yapton Neighbourhood Plan are considered in this report.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal is considered to conflict with the relevant Development Plan policies in that the proposed site lies in the countryside and the proposal does not meet any of the criteria in the policies of the development plan with respect to new development in the countryside. The proposal results in the loss of high value (grade 2) agricultural land.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background as detailed in the Conclusion section. These are as follows:

- (1) The quantitative and qualitative need for the proposed crematorium as evidenced by the submitted Need Assessment and also by application CM/4/19/PL for a site to the east of the application site;
- (2) The assessment of other suitable sites within the Arun District;
- (3) The National Planning Policy Framework and associated planning practice guidance;
- (4) The presumption in favour of sustainable development;
- (5) The requirements in respect of location constraints as set out in the 1902 Cremation Act; and

CONCLUSIONS

PRINCIPLE:

The key policy considerations in the determination of the principle of this proposal would be C SP1 and SD SP1 of the Arun Local Plan (ALP). Policy C SP1 "Countryside" states that outside of the defined built up area boundaries (BUAB) land is defined as countryside and development will only be permitted here where it is:

- a. for the operational needs of agriculture, horticulture, forestry, the extraction of minerals or the management of waste as part of a waste site allocation within the West Sussex Waste Local Plan; or
- b. for quiet, informal recreation; or
- c. for green infrastructure; or
- d. for the diversification of the rural economy; or

- e. for road and/or cycle schemes; or
- f. in accordance with other policies in the Plan which refer to a specific use or type of development.

The proposal doesn't fall into these categories and is contrary to adopted countryside policy.

The Yapton Neighbourhood Development Plan:

The Yapton Neighbourhood Plan (YNDP) was made in November 2014 on the basis of saved policies in the 2003 Arun Local Plan and draft policies in the 2014 publication version of the then emerging Arun Local Plan. The site lies outside the BUAB in the YNDP and therefore is also defined as countryside.

Policy BB1 states development outside of the BUAB will not be permitted unless in accordance with 4 listed criteria. The fourth of these refers to "new or relocated health or community facilities in accordance with policies KS1 and KS2". Policy KS2 states that:

"Proposals for new and/or improved community facilities will be supported subject to the following criteria:

- the proposal would not have significant harmful impacts on the amenities of surrounding residents and other activities; and
- the proposal would not have significant harmful impacts on the surrounding local environment; and
- the proposal would not have unacceptable impacts on the local road network; and
- the proposal would provide appropriate car parking facilities; and
- the proposal is located within or immediately adjacent to the built up area boundary as defined in Policy BB1."

Although the preamble to this policy refers to community facilities in Yapton enabling a range of activities and services to be run which are important for people's wellbeing, there is no formal definition of what a community facility is and the crematorium clearly provides social benefit to the community of Arun and beyond. The proposal nevertheless conflicts with this policy as it is not directly adjacent to the defined edge of the built up area.

The proposal is considered to be conflict with ALP policy C SP1 and with YNDP policies BB1 and KS2.

LOSS OF AGRICULTURAL LAND:

As per Figure 2 of the YNDP, the site is classified as Grade 2 agricultural land. Policy E1 of the YNDP states "Planning permission will be refused for development on grade 1 and grade 2 agricultural land unless: (1) it involves the granting of planning permission for the development of the housing allocations identified in this Plan (Policy SA1 and Policy SA2); or (2) it involves the granting of planning permission for any additional housing sites required by Policy H1 to meet objectively assessed housing needs in the Plan area."

ALP policy SO DM1 considers soils and states: "Unless designated by this Plan or a Neighbourhood Development Plan, the use of Grades 1, 2 and 3a of the Agricultural Land Classification for any form of development not associated with agriculture, horticulture or forestry will not be permitted unless need for the development outweighs the need to protect such land in the long term."

The applicant does not dispute the agricultural value of the land but considers the clear benefits of the proposal and the compelling need for the proposal outweighs the loss of this Grade 2 land. The planning statement also states:

- The loss of 4.08ha of agricultural land represents a crop profit which is calculated at £395/ha which is £1,611.60 per annum;
- This is based on the Lettuce Company's last crop harvested in November 2018 from the site;
- This is miniscule by comparison to the value of the business proposed;
- The loss of the land equates to the loss of a tiny % of the Langmead Farm holding; and
- Only a very small portion of the site has permanent development that removes the land for agriculture.

The development would lead to the loss of grade 2 agricultural land and there are no site constraints that could be set against future agricultural use. Despite the agricultural value of the site, the proposal conflicts with the YNDP (policy E2) and with policy SO DM1 of the ALP.

OTHER MATERIAL CONSIDERATIONS:

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."

It is considered that there are other material considerations which would allow in the case of this proposal for a decision to be made despite being in conflict with ALP policies C SP1 & SO DM1 and with YNDP policies BB1, KS2 and E2. These will now be discussed under the following headings.

(1) The Quantitative and Qualitative Need for the Proposed Crematorium;

The Council has two applications for Crematoria with only 660m between the two.

The applicant has provided a Need Assessment which states whilst there is a compelling quantitative and qualitative need for a single new crematorium at Grevatts Lane West, there is no need for two crematoria at this location and, if both were developed neither would be financially viable. The Need Assessment noted there is no national policy or guidance in relation to the assessment of need for crematoria and the assessment criteria that has been taken into account has been drawn from a number of appeal decisions and a court judgement.

The Need Assessment states:

- In 2016 cremation accounted for approximately 80% of all funerals in England;
- 2014 based National Population Projections indicate a 19.5% projected increase in deaths in the UK between 2014 and 2039;
- Arun's population will increase by 19% to 2039 (England 12.9%);
- Arun's death rate to 2039 will increase by 30% (England 25.3%);
- The location of crematoria coupled with drive time and qualitative issues demonstrate that there is need for additional crematorium capacity in mid Arun;
- The key factor influencing most people's choice of crematorium for a funeral is its location, and there is a general preference to minimise travel times;
- In an appeal concerning "Land off Broad Lane, Essington, South Staffordshire", the Inspector stated that a crematorium operating above 80% of its practical capacity makes it difficult to offer a cremation service that meets an acceptable quantitative standard;
- On average, Chichester Crematorium is operating at 104% of its practical capacity and Worthing Crematorium is operating at 90% of its practical capacity;
- This alone demonstrates need for additional capacity in this area;
- When seasonal variation in deaths is included, during peak months, Chichester is operating at 146% of

its practical capacity whilst Worthing is operating at 126% of its practical capacity.

- The crematorium provides one hour service slots which is typical of new-build crematoria in contrast to the shorter time slots available at Chichester (40 minutes) and Worthing (45 minutes);
- Longer services could be provided at Worthing or Chichester but at the expense of less services per day and longer waiting times for new bookings;
- With hourly service intervals, the crematorium offers eight slots between 0900 and 1600 will add over 2,000 potential slots per year to those already available.
- Using the assumption that crematoria operate at approximately 75% of theoretical capacity, the factored capacity of the development would be 1,550 services per year, calculated from death rates within the 30 minute drive time;
- In Arun there is a prediction of 600 additional deaths per annum from 2018 to 2039, higher than any of the surrounding districts in numerical terms.
- This increase in death needs to be catered for in cremation capacity as qualitative issues will deteriorate at Chichester and Worthing, moving further way from recommended operational standards;
- A new crematorium in Arun will make a positive impact on satisfying quantitative need;
- It is not just about numbers. The development of a central Arun crematorium adds very significantly to the qualitative experience of bereaved people of the District;

(2) The Availability of other Suitable Sites within the Arun District;

The applicant has provided a list of alternative sites that could accommodate the crematorium. The applicant has undertaken this assessment with regards to both ADC's 2017 "Housing Economic Land Availability Assessment" (HELAA), the location requirements of the Cremation Act and the need for a size of site that would accommodate the ancillary parking and gardens.

The assessment assesses 19 other sites. It demonstrates there is no known alternative site that is free of the constraints and therefore equal or better than the site. Many of the sites were discounted due to having already been rejected as part of the HELAA or being located within the strategic gap.

(3) The National Planning Policy Framework (NPPF);

The NPPF is an important material consideration in the determination of planning applications. Although there is no reference to crematoria in the document, there is other guidance which is relevant to this application.

Paragraph 83 which states planning decisions should enable: (a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.

Secondly, paragraph 84 which advises that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport.

(4) The Presumption in favour of Sustainable Development;

Policy SD SP1 states the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). It will work to secure development that contributes to the social, economic and environmental conditions south of the National Park through to the coast and throughout its settlements (both coastal and inland).

The NPPF defines the achievement of sustainable development as meeting three interdependent objectives - economic, social and environmental. These need to be pursued in mutually supportive

ways.

It is not considered the location of the site is sustainable from the point of view of access by non-car modes of transport. Demand for the facility is unlikely to be local enough to mean that there will be many visitors walking, cycling or taking the bus to access the site. Although there are bus stops on Bilsham Road (BR) close to the junction with Grevatts Lane West (GLW), the bus service is not considered to be sufficiently regular to prove attractive to staff members. It is noted there is no pavement or street lighting on GLW. It is accepted that staff and locally based guests could cycle to the site given the flat landscape and the cycle path along the A259.

There will be environmental costs in respect of the loss of some grassland wildlife habitat and a visual change to the landscape. The proposal demonstrates environmental gains through biodiversity enhancements. In the long term additional planting will result in a benefit to the local landscape.

A new Crematorium located between existing facilities at Chichester and Findon will mean people in the areas between the two existing facilities will have less far to travel to access a crematorium. Therefore, these visitors will not contribute to congestion on certain roads between their homes and the existing facilities such as the A27 and its pinch points around Arundel, Chichester and Worthing. The location of the crematorium reduces travel time that would have been necessary to the existing facilities and result in lower vehicle emissions. However, there will be a similar amount of people accessing the new site as would access the existing facilities.

The proposal will result in new employment & other economic benefits and meet an existing social/community need. There is a loss of agricultural land to consider, however figures provided by the applicant suggest that the impact will be much lower than the value of the new crematorium business.

On balance it is considered that the proposal does represent sustainable development and would therefore comply with policy SD SP1

(5) The 1902 Cremation Act;

The 1902 Cremation Act sets out locational criteria for new crematoria. It states crematoria must be at least 200 yards (183 metres) from any dwelling unless the owner, lessee or occupier has given their consent in writing, and at least 50 yards (46m) from a public highway. This effectively means that it is not possible to develop crematoriums in or adjoining the built up area boundary and pushes the search for new sites into the countryside.

The edge of the site is around 270m from the nearest residential dwelling.

(6) Decisions taken elsewhere in the South East for new Crematoriums in the Countryside.

The officer report for a proposal at Horam in the Wealden District (App ref WD/2016/2533/MAJ) stated:

"There is a quantitative and qualitative need for a crematorium in this area. This consideration is one of considerable weight in favour of the proposal. As any new crematorium would have similar implications for openness and countryside character this adds further weight to this finding. The applicant has been reviewing other sites for some time. Whilst no applications have ever been lodged, this is because few if any sites have come up. Those that have come to the market were in considerably more restricted locations and/or remote from the main highway network. There is no other realistic option that would have less of an impact on the countryside than the proposal. This is a matter of further weight in favour of approval."

And that:

"It is also material that The Cremations Act advises that crematoria sites should be at least 200 yards (183 metres) from any dwelling unless the owner, lessee or occupier has given their consent in writing, and at least 50 yards (46 metres) from a public highway. Whilst this would not necessarily preclude urban sites, in order to meet these requirements, there does seem to be support for the contention that crematoria should be situated within rural locations and in all likelihood, within the open countryside. This conclusion is consistent with the views reached by Inspectors on several appeal decisions dealing with crematoria even where within more protected landscapes."

Summary of Material Considerations

Although the principle of development on this site in the countryside is considered to be contrary to the development plan, it is considered the proposal represents sustainable development and that other material considerations as set out above (including the need for the proposal and the need for a countryside location) combine to allow for a decision to be taken to allow the principle of development on this countryside site and the loss of the grade 2 agricultural land.

HIGHWAY SAFETY, TRAFFIC & PARKING:

Local Plan policy T SP1 seeks to ensure development provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport. In respect of highway safety, it states: "The Council will support transport and development which: explains how the development has been designed to: (i) accommodate the efficient delivery of goods and supplies; (ii) give priority to pedestrian and cycle movements and have access to high quality public transport facilities; (iii) create safe and secure layouts for traffic, cyclists and pedestrians whilst avoiding street clutter."

In respect of parking, T SP1 states: "The Council will support transport and development which: Incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking". In addition, policy T DM1 requires that new development be located within easy access of established non-car transport modes/routes, contribute to the improvement of such routes & facilities and contribute towards the provision of a joined up cycle network and Public Rights of Way network.

Para 108 of the NPPF states: "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Regard should be had to para 109 which states: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

The advice of WSCC Highways is summarised above. They have assessed the proposals and supporting documents provided including a Road Safety Audit and do not consider there will be any severe harm to the safety or convenience of the local highway network either solely or in combination with other developments.

The proposal includes measures to deter vehicles from travelling west along Grevatts Lane West and using the junction with Bilsham Road or the Comet Corner junction to the south. The applicant will be required to monitor traffic travelling west along Grevatts Lane West and if a certain number of vehicle movements is reached then it will be necessary to implement physical features (lockable bollards) to prevent such movements (except for agricultural vehicles). These measures will prevent Grevatts Lane West from being used as a rat run between Bilsham Road and the junction with the A259 or vice versa.

The access improvement works on the A259 are considered to be safe and reduce the potential for congestion from vehicles waiting to turn right onto Grevatts Lane West. The improvements include a pedestrian/cycle crossing point with island to allow users of the shared path to safely cross the access. The design of the junction with the A259 is considered to deter vehicles from turning right from Grevatts Lane West onto the A259.

The Federation of Burial and Cremation Authorities (FBCA) suggest parking for crematoria should be provided for approximately two thirds of the total seating capacity of the chapel. The chapel provides 126 seats and this equates to a demand of 84 parking spaces. The applicant proposes 107 spaces for guests with 12 for staff and other site visitors.

The application states a total of 6 cycle parking spaces for staff members will be provided in the service yard. Plans demonstrate that cars, refuse lorries and fire engines can all navigate & track around the site without restriction and can enter and exit in a forward gear.

WSCC Highways are the Councils technical experts on such matters and given they raise no objections (and indeed support the application), it is not considered a refusal on the grounds of highway safety or highway convenience could be sustained on appeal. It is considered the proposal accords with the relevant development plan policies and with the NPPF in terms of highway safety.

DESIGN, LANDSCAPE & VISUAL AMENITY:

Policy D DM1 of the Local Plan requires the Council seek to make the best possible use of land by reflecting or improving upon the character of the site and the surrounding area. It requires the Council to consider scale, massing, aspect, siting, layout, density, building materials, landscaping, and design features. The policy requires the scale of development keep within the general confines of the overall character of a locality. It states all development will be expected to incorporate existing and new tree planting as an integral part of development proposals. ALP policy D SP1 "Design" requires development to make an efficient use of land and also reflect local character.

Policy LAN DM1 of the ALP states: "Development throughout the plan area should respect the particular characteristics and natural features of the relevant landscape character areas and seek, wherever possible, to reinforce or repair the character of those areas. The historic character and development pattern of settlements within the District should be respected, taking into account their distinct identity and setting"

There are no relevant design or landscape policies in the YNDP. Regard should be had to para 127 of the NPPF: "Planning policies and decisions should ensure that developments: (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)." Paras 122 and 130 are relevant. Para 122 states decisions should support development that makes efficient use of land but the desirability of maintaining an area's prevailing character and setting should be taken into account. Para 130 states planning permission should be refused for development that fails to take opportunities available for improving character and quality of an area and the way it functions.

The Design and Access Statement states:

- The design of buildings has been influenced by the desire to relate to the surrounding built forms and to provide a celebratory space within the Chapel which has a high ceiling height;
- The long 'separate' elements of the built area relate back to a farm typology common in rural South England;

- They have then been offset to give a contemporary design which is considered to sit comfortably in the landscape without being imposing;
- The internal design allows for different activities to take place at the same time without conflict (such as one cremation taking place whilst another unrelated chapel service is running);
- The building layout itself is orthogonal with the building sitting at an angle to the site boundary;
- Having the building at an angle to the site boundary also creates more intimate and welcoming spaces which allows for the protected view behind the building to be unseen when anywhere else but in the chapel.

The scheme has been designed to create a sustainable, rurally appropriate design reflective of the landscape character of the coastal plain. The buildings are agricultural in design whilst the use of timber and clay tiles appropriate to the rural environment. Although some of the buildings have a high pitch, the accommodation (bar a small mezzanine area) is single storey and the buildings will not be out of character with the built form of nearby dwellings or the character of the surrounding landscape.

The applicant has provided a Visual Appraisal document which concludes:

- There are no high sensitivity receptors within the study area;
- Views from the medium sensitivity receptor (the National Cycle Route 2), to the south, are intermittently open but oblique and otherwise screened by roadside vegetation;
- Views from other medium sensitivity receptors, public rights of way to the north and south of the Site, have some partial direct or oblique views of the site and the proposed development would potentially be partially visible from a number of these locations;
- Residents of White Rails to the west (south of the Bilsham Road/Grevatts Lane West junction) would have direct partial views from the side and rear of the two properties;
- Intervening vegetation, comprising of hedgerow and trees, provides varying degrees of filtering and screening of potential views from these receptors;

In response, the following mitigation strategy is proposed:

- Set built form back from Grevatt's Lane West, behind a landscaped buffer, to reduce visual impact on views from the south and to focus development in areas of higher containment;
- Enhancement of existing boundary hedgerows and trees as characteristic landscape features which function as wildlife habitat and connect with wider green infrastructure;
- Strengthen the visual containment of the site, through tree and hedge planting;
- Provide an attractive landscape setting to the proposed development to enhance visual amenity for users, provide a high quality experience for mourners, and assist in integrating built form within the wider landscape.

This will be enforced through a landscaping condition. This site is not in a protected landscape and is not part of a local or strategic gap designation. This coupled with the limited impact on receptors in terms of landscape impact means the proposal has only limited impact. The proposed on and off-site planting will lead to landscape enhancement in the longer term.

It is acknowledged that the design includes a chimney which will be higher than the building roofs. This is necessary in the interests of pollution control.

The proposal would not result in material harm to the rural character of the locality and the landscaping will, in time, screen the site from view and enhance the wider landscape. The proposal accords with ALP policies D DM1, D SP1 & LAN DM1 and with the relevant guidance on design within the NPPF.

POLLUTION:

ALP policies QE DM1, QE DM2 and QE DM3 seek to protect residential properties from adverse effects of noise, air and light pollution. It is important to note the 1902 Cremation Act states that crematoriums must be at least 200 yards (183 metres) from any dwelling unless the owner, lessee or occupier has given their consent in writing. The nearest residential property is at least 270m from the western site boundary.

The application is accompanied by an Air Quality Assessment. This states:

- Detailed air quality modelling has been undertaken to predict the impacts associated with stack emissions from the cremator;
- A stack height of 13m was selected to ensure adequate dispersion of the exhaust gases;
- Predicted maximum process concentrations at sensitive receptor locations are well within the relevant air quality standards for all pollutants considered; and
- The significance of the impacts has been assessed as negligible in accordance with the EPUK/ IAQM planning guidance and Environment Agency's risk assessment guidance.

The application has been assessed by Environmental Health officers who are the Council's technical experts on matters of pollution and they raise no objections.

It is proposed to impose a condition to require the approval of lighting details post approval. These details would then be subject to agreement with Environmental Health officers and with our ecologist.

In terms of noise, a condition will be imposed to prevent services from being held outside of 9am and 5pm on Mondays to Saturdays with no services on Sundays or Bank Holidays. This will ensure any noise generated by the use will be within standard working hours.

Matters relating to scheme in respect of air quality, lighting and noise are acceptable. The proposal is therefore in accordance with policies QE DM1, QE DM2 and QE DM3 of the Arun Local Plan.

RESIDENTIAL AMENITY:

ALP policy D DM1 requires the Council have regard to certain aspects when considering development including having minimal impact to users and occupiers of nearby property and land. Regard should be had to para 127 of the NPPF which states that development should provide a high standard of residential amenity for existing and future users.

Policy QE SP1 states: "The Council requires that all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity".

Due to the distance to the nearest residential property, there will not be any impacts on residential properties in respect of overlooking, loss of light or loss of outlook.

Some residents have concerns regarding noise disturbance from vehicles travelling west from the site along Grevatts Lane West. The design of the access from the site onto Grevatts Lane West includes measures to deter vehicles from heading west towards Bilsham Road. If a particular number of vehicles doing so is reached (to be monitored by WSCC Highways) lockable bollards will be installed which will prevent access west along Grevatts Lane West by non-agricultural vehicles. This is not considered to result in significant harm to amenity of these residents.

It is not considered that there would be conflict with policies D DM1, QE SP1 or para 127 of the NPPF.

BIODIVERSITY:

ALP policy ENV DM5 states: "Development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on site. They shall also however 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)."

YNDP policy E3 seeks to prevent loss of natural habitat but states it may be acceptable where mitigation measures ensure the integrity of the habitat or where the habitat is relocated to a site within 500m. Policy E4 states sites should retain well-established features of the landscape, including mature trees and species-rich hedgerows, new tree planting will be required to mitigate significant loss.

Para 175 of the NPPF states: "If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;"

The application is accompanied by an Ecological Impact Assessment which concludes the site is considered to be of low ecological value with no particular habitats of interest. The proposals will not impact on the margins of the site (hedgerows/ditches) which do hold wildlife value. The Assessment considers that once avoidance and mitigation measures have been taken into account, the impacts of the planned development upon biodiversity will be negligible, nonsignificant with proposed ecological enhancements resulting in a net gain and result in a long-term positive increase in biodiversity. Mitigation measures include a number of precautionary measures alongside wildlife enhancements.

The Councils Ecologist has assessed the application in respect of whether there will be harm to protected species and advises no objection subject to the mitigation and enhancement measures being secured by condition. It will be necessary to protect the field boundaries with fencing during construction and to retain these areas as they ensure habitat for bats, voles and reptiles is maintained.

The application complies with the NPPF para 175, with ALP policy ENV DM5 and YNDP policy E3.

SUMMARY:

The principle of development is contrary to the development plan as it is located in a countryside location and on grade 2 agricultural land. The proposal represents sustainable development, the need for a new crematorium has been established and the evidence indicates this is the only available site which meets all of the required criteria.

The siting of a crematorium in the countryside is supported by the NPPF and by decision making elsewhere in the South East. These material considerations are such that in accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004, a decision can be taken other than in accordance with the development plan.

This report has considered the concerns of interested residents and Parish Councils in particular with respect to the impact on highway safety/traffic congestion, visual amenity, pollution, residential amenity and biodiversity. It is not considered the proposal results in any material harm to any of these considerations and that there will be long term benefits from the enhancement of the local landscape and of the biodiversity value of the site.

The application will be accompanied by a Section 106 Agreement securing a contribution to the provision of a Traffic Regulation Order which will be required in the future should a particular number of vehicle

movements travelling west from the site along Grevatts Lane West be reached. If this trigger is met the Highway Authority will install lockable bollards to prevent these movements (other than for agricultural vehicles) using an agreed contribution of £975 from the applicant (via the Section 106).

The application is recommended for approval subject to conditions and to the signing of the Section 106 agreement. Members will be updated at the Meeting as to whether the S106 has been signed.

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.

SECTION 106 DETAILS

This decision has been granted in conjunction with a S106 legal agreement relating to a financial contribution of £7500 towards the cost of a Traffic Regulation Order (TRO) which will be required if the necessary trigger of vehicle movements travelling west along Grevatts Lane West is exceeded. If the trigger is reached the TRO will cover the installation of lockable bollards adjacent to the crematorium access on Grevatt's Lane West in place of the existing gate on Grevatt's Lane West to the west of the site. A contribution of £975 is required to pay for these bollards.

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:

Dwg. 1176/1000 "OS Location Plan";
 Dwg. 1176/1002 "Proposed Site Plan" (1:1250);
 Dwg. 0524-DR-100 Rev PL01 "Proposed Site Plan" (1:500);
 Dwg. 1176/1003 Rev A "GA Ground Floor Plan";
 Dwg. 1176-1004 "GA Roof Plan";
 Dwg. 1176-2000 "GA Elevations - Main Building 1 of 2";
 Dwg. 1176-2001 "GA Elevations - Main Building 2 of 2";
 Dwg. 1176-2002 "GA Elevations - Remembrance Court";
 Dwg. 1176-2003 "GA Section - Main Building";
 Dwg. 1176-2004 "GA Section - Remembrance Court";
 Dwg. 1176-2005 "Detailed Elevation";
 Dwg. 1176-2006 "Proposed Approach View";
 Dwg. 128.001.007 Rev C "Access Road Amendments"; and
 Dwg. 128.0001.001 Rev D "Site Access with Right Turn Lane from Grevatts Lane".

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies QE SP1, D DM1, T, SP1 and CSP1 of the Arun Local Plan.

- 3 The Changing Places Toilet hereby approved as part of this development and shown on drawing 1176/1003 Rev A "GA Ground Floor Plan" shall laid out prior to first use of the crematorium in accordance with Arun District Council's "Changing Places Toilet Guidance" dated January 2019 (or any subsequent published version). Thereafter, its special features shall be maintained in good working order.

Reason: In the interests of public safety and convenience in accordance with policy D DM1 of the Arun Local Plan.

- 4 The development must be carried out in accordance with the mitigation and enhancement measures as set out within sections 5.0 and 6.0 of the Ecological Impact Assessment by Lizard Landscapes ref LLD1584 Rev 01 (26/11/18). The enhancements and mitigation measures shall be implemented as per the document and then 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 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 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

- an indicative programme for carrying out of the works;
- 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, including permitted times for deliveries;
- the storage of plant and materials used in construction of the development;
- the erection and maintenance of security hoarding, including decorative displays and facilities for public viewing, where appropriate;

- 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);
- 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);
- measures to control the emission of dust and dirt during construction;
- Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination; and
- a scheme for recycling / disposing of waste resulting from demolition and construction works.

Reason: In the interests of the amenity of the occupiers of any nearby noise sensitive premises, the general amenities of the area and in the interests of highway safety 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.

- 6 Prior to the commencement of development, the developer shall provide a 5m deep buffer zone to the hedges and watercourses along the site boundaries to be secured by temporary security fencing. The habitat within the buffer zones shall be maintained as existing and there shall be no access to these buffer zones during the construction process. Once construction is completed, the fencing shall be removed and the buffer zones left as a natural area for wildlife.

Reason: In order to protect wildlife habitat (bats, reptiles, dormice and water voles) and in the interests of general biodiversity in accordance with policy ENV DM5 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to ensure that the wildlife habitat is protected prior to the start of construction works.

- 7 Prior to the commencement of development, a monitoring regime to assess the impact of vehicle flows along Grevatts Lane West, west of the site access shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. Thereafter the monitoring data shall be made available upon request to either the Local Planning Authority or the Local Highway Authority.

Reason: To accord with the terms of the application and in the interest of the safety of highway users in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 8 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.

- 9 The development shall not proceed 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.

- 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 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 potential archaeological significance in accordance with Arun Local Plan Policy HER DM6. This is required to be a pre-commencement condition because it would not be possible to carry out surveys once the building work has started.

- 12 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

- 13 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 buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character and appearance of the surrounding rural area in accordance with policy D DM1 of the Arun Local Plan.

- 14 Before the development is first occupied or brought into use a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall then be carried out as approved and permanently adhered to unless otherwise agreed in writing with the Local Planning Authority.

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

- 15 Before the development hereby permitted is first brought into use the developer shall enter into an agreement pursuant to Section 278 of the Highways Act 1980 with the County Council to provide for the junction improvements as shown on Drawing 128.0001.0001 REV D. The junction shall then be provided prior to first use of the crematorium.

Reason: To accord with the terms of the application and in the interest of the safety of highway users in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 16 No part of the development shall be first brought into use until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled Access Road Amendments and numbered 128.001.007 Rev C.

Reason: In the interests of road safety in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 17 No part of the development shall be first brought into use until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 18 No part of the development shall be first brought into use 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 approved cycle storage/parking spaces shall thereafter be permanently retained in good working condition.

Reason: To provide alternative travel options to the use of the car in accordance with in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 19 No construction or 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) and no noisy working activities shall take place on Saturday afternoon, Sunday or Bank Holidays.

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

- 20 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.

- 21 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.

- 22 No crematorium services shall take place outside of the hours of 09:00 and 17:00 Monday to Saturdays and there shall be no more than 8 services per day. There shall be no services on Sundays or Bank Holidays.

Reason: As agreed with the applicant and in the interests of the general amenity of the locality & to minimise the impact of traffic on the road network during peak hours in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 23 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 24 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to a financial contribution of £7500 towards the cost of a Traffic Regulation Order (TRO) which will be required if the necessary trigger of vehicle movements travelling west along Grevatts Lane West is exceeded. If the trigger is reached then the TRO will cover the installation of lockable bollards adjacent to the crematorium access on Grevatt's Lane West and also in place of the existing gate on Grevatt's Lane West to the west of the site. In addition, a contribution of £975 is required to pay for these bollards.
- 25 INFORMATIVE: This process may require a permit under the Environmental Protection Act 1990, Environmental Permitting (England and Wales) Regulations 2010 before operations commence and the applicant is advised to contact the Environmental Health Department on 01903 737755.
- 26 INFORMATIVE: The discharge of effluent associated with this development will require an

Environmental Permit under the Environmental Permitting (England & Wales) Regulations 2016, from the Environment Agency, unless an exemption applies. The applicant is advised to contact the Environment Agency on 03708 506 506 for further advice and to discuss the issues likely to be raised. You should be aware that there is no guarantee that a permit will be granted.

Additional 'Environmental Permitting Guidance' can be found at: <https://www.gov.uk/environmental-permit-check-if-you-need-one>.

- 27 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.

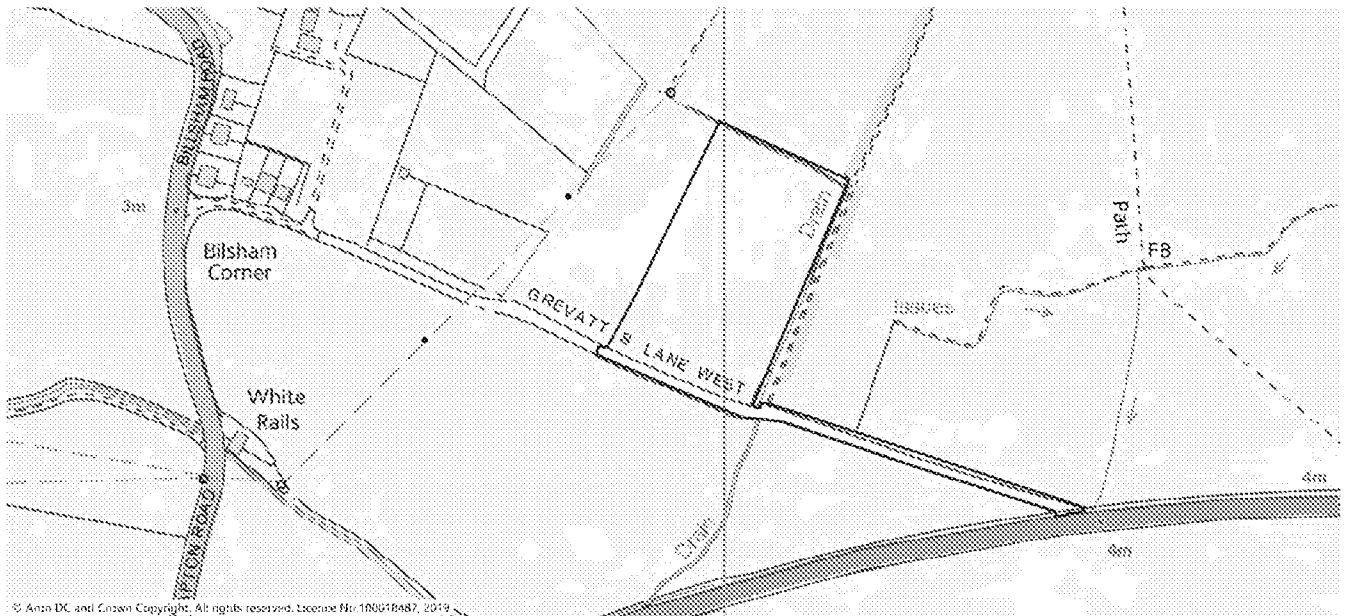
Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted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

- 28 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.

- 29 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.

Y/103/18/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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 100018487. 2015

PLANNING APPLICATION REPORT

REF NO:	A/40/18/OUT
LOCATION:	Land North of Water Lane Angmering
PROPOSAL:	Outline application with some matters reserved for the development of up to 525 residential dwellings (Class C3), 3 ha (gross) of employment land (Class B1), public open space, play areas, access, associated infrastructure and landscaping.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This outline planning application is for up to 525 dwellings and 3 hectares (gross) of employment land located to the north of Water Lane, in Angmering. This site is one of the three sites that make up the Angmering North Strategic Allocation. The applicant has submitted parameter plans indicating the density of development, and the heights of buildings on the site. An indicative (illustrative) layout plan has also been submitted which demonstrates a potential layout which would also include play areas including 1 Neighbourhood Equipped Area of Play (NEAP), 2 Local Equipped Areas of Play (LEAPs) and 7 Local Areas of Play (LAPs); informal open space; pedestrian and cycling links; and 2 SuDS attenuation basins.

The access detail is not to be reserved. The two proposed vehicular accesses to the site are directly off Water Lane and Dappers Lane. The vehicular access from Water Lane would utilise the existing site access to the motor racing circuit. The Dappers Lane vehicular access would serve 37 dwellings. There would be pedestrian/cyclist access at the vehicular access onto Water Lane; and at the vehicular access onto Dappers Lane. There would be a further two pedestrian/cyclist accesses onto Dappers Lane. The pedestrian/cyclists access south of Culberry Nurseries on Dappers Lane would also function as an access for buses and the emergency services. The proposed development includes a new wide footway on the western side of Dappers Lane to connect the site access to Merryfield Crescent and Water Lane. Two highway junction improvement schemes have been proposed: 1) to construct a roundabout at the A280 / Water Lane junction; and 2) a two-lane entry on the A280 South West approach to the A280 / Titnore Lane / A27 roundabout.

Appearance, layout, scale and landscaping are reserved matters for future approval.

SITE AREA

32.9 hectares

RESIDENTIAL DEVELOPMENT 35 dwellings per hectare
DENSITY

TOPOGRAPHY

Predominantly flat, but the site is sloping in a series of terraces from north to south.

TREES

There are a large number of trees on the site, including an avenue of mature trees leading up to the motor racing circuit; and individual trees in the existing hedgerows that bound the fields within the application site, and along the boundary with Dappers Lane. There is a tract of ancient woodland east of the application site, known as Groom's Copse.

BOUNDARY TREATMENT

The site boundaries have hedgerows interspersed with trees.

The application site is bounded by Groom's Copse and farmland to the east; Dappers Lane, Broadlees Residential Care Home and commercial developments and housing estates to the west including sites subject to planning applications for housing developments at Greenways, Merry England Nursery, Crete Nurseries and the Laurels; Water Lane to the South; and the A27 to the north.

SITE CHARACTERISTICS

The site comprises agricultural land in arable and livestock grazing use and a portion in the north east corner of the site accommodates a motor racing circuit.

CHARACTER OF LOCALITY

The site is bounded to the north by the A27; to the south by Water Lane; and to the west by Dappers Lane with existing businesses and residential properties. The land to the south of Water Lane has outline planning permission (A/99/17/OUT) for 175 dwellings. There is further residential development to the south off Roundstone Lane in Angmering.

The area is rural in character with the South Downs National Park to the north of the site beyond the A27 and to the south east beyond the A280, including Highdown Hill.

A screening opinion was issued in April 2017 confirming that no Environmental Impact Assessment (EIA) was required.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Angmering Parish Council

Angmering Parish Council

Object.

- Applications A/40/18/OUT and A/99/17/OUT should be considered together enabling appropriate infrastructure provision.
- It is premature to determine this outline planning application prior to adoption of the Local Plan.
- The site has the potential for further flooding. Water will flow from the site and flood the village.
- The 3 hectares of employment land has been reduced to 1.5 Ha Net, with the remaining 1.5 Ha shown for flood mitigation measures.
- There is a need for light industrial uses with small (start-up) units for small businesses; which would

help replace employment uses in Dappers Lane and Water Lane.

- The proposal includes a number of 3 storey buildings that would be visible from the National Park, which is unacceptable as it would be impossible to mitigate by planting a few trees.
- No evidence has been submitted regarding safe routes to schools.
- How would the bus access into the site from Dappers Lane be managed and closed to other traffic?
- The so-called affordable units are not affordable to local people.

Angmering Parish Council submitted a second letter objecting to the proposed development on the grounds of:

- Flooding;
- Lack of employment provision in Angmering;
- Deliverability of the primary school;
- Landscape impact of the proposed development on the South Downs National Park;
- Provision of affordable housing;
- Suburbanisation of Dappers Lane;
- Impact of the proposed development on Water Lane; and
- Need for increasing the numbers of medical staff at the local surgeries before any new development is agreed or started in the catchment area.

Angmering Parish Council submitted an email raising concerns about the provision of a new primary school and the need for a back stop if the site at Bramley Green and Mayflower Court cannot be delivered; the efficiency of the proposed surface water measures to prevent flooding and ensuring that the Angmering Flood Risk Management Project addresses the flooding issues in the village; the need for a link road between Roundstone Lane and the A280 (i.e. an A280 Link Road); the concern that 3 storey blocks of flats would be permitted along the boundary of the site, which would be highly visible from the National Park; and ensuring that Angmering receives its fair share of developer contributions in the S106 Agreement.

13 letters of representation objecting to the proposed development on the following grounds:

- The proposed development is premature and should wait for the adoption of the Local Plan.
- The site as being outside the built up area boundary (BUAB) in the Neighbourhood Plan.
- The flood risk to those houses downstream of the proposed development cannot be completely mitigated.
- The impact on the National Park cannot be mitigated even with a large buffer zone. The houses would be clearly visible from the National Park.
- The view from Angmering Village towards the National Park would be compromised by the proposed development.
- The proposed development would negatively impact upon the National Park in respect of its Dark Skies designation and light pollution.
- There are no pavements connecting the application site with Angmering Village.
- The vehicular access is via Water Lane, which is congested during peak times by drivers leaving the southbound A280 and driving through the centre of Angmering to avoid the long queues at the A280/A259 junction.
- The northern section of Dappers Lane is hazardous, being de-restricted, only 3.5 metres wide and having blind bends and no footpaths. Dappers Lane is regularly used by walkers, joggers and cyclists and horse riders as the main access to this part of the National Park.
- There would be a bus access to the site from Dappers Lane; which should be either open to all vehicles or closed to all vehicles (except in an emergency).
- The area has suffered immensely from developments which remove mature trees and woodland and replace them with immature saplings.
- The health centre and schools are at capacity. Patients at Angmering Medical Centre typically have to

wait for 4 weeks or longer for a GP appointment.

- A new two or three-form entry, secular primary school must be opened before any further residential development is granted in Angmering.
- There is no need for new houses in this area as the current houses are not selling.
- The proposed development is cramped with buildings close together and small gardens.
- There is currently local employment on this site, which would be removed. More than half of Angmering workers travel to jobs in Worthing, Horsham and Chichester.
- Angmering is no longer a village.
- There is an increased flood risk. Flows in the Black Ditch already exceed the highway culvert capacity and flooding to people and property results. Suitable storage should be provided and discharge routed so that it does not increase flood risk to others.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and issues addressed in the Conclusions section below.

A meeting was held between ADC officers and representatives from Angmering Parish Council on Tuesday 5th February 2019 at the Parish Council offices and the issues raised in the email were discussed and clarified. The provision of the primary school and the back stop scenario are picked up in the draft S106 Agreement. Surface water drainage and flood mitigation, the A280 Link Road, the heights of the buildings on site and ensuring developer contributions go to Angmering have been addressed in the Committee report.

The comment that the proposed development is premature and should wait for the adoption of the Local Plan is now historic as the Local Plan has been adopted.

CONSULTATIONS

Highways England
WSCC Strategic Planning
Environment Agency
Surface Water Drainage Team
Environmental Health
Parks and Landscapes
Southern Water Planning
Economic Regeneration
Planning and Housing Strategy
Engineering Services Manager
Engineers (structural)
Ecology Advisor
NHS Coastal West Sussex CCG
South Downs National Park
Conservation Officer
Archaeology Advisor
Cultural Development
Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

HIGHWAYS ENGLAND:

Highways England initially requested additional information regarding the potential impact on the safe and efficient operation of the A27. Highways England is satisfied with the additional information and has requested the imposition of a condition regarding the improvement works at the A280/A27/Titnore Lane junction. Highways England has confirmed that it no longer requires the applicant to undertake/contribute for the highway mitigation works at the Causeway Roundabout, at Arundel.

LOCAL HIGHWAY AUTHORITY:

No objection.

The Local Highway Authority is satisfied with the submitted Transport Assessment and the Stage 1 Road Safety Audit. The Local Highway Authority has requested the imposition of conditions regarding a Construction Management Plan, a detailed Travel Plan, the vehicular access serving the site, the provision of car parking spaces and secure cycle parking spaces and the surfacing of the Public Right of Way (PROW No. 2149).

A Section 106 Agreement should include:

- Highway works to the A259 corridor improvement scheme.
- Highway works to A280 / Water Lane involving the construction of a roundabout junction.
- Highway works to A27 / A280 / Titnore Lane to widen the approaches to the junction.
- Highway works to Dappers Lane.
- Provision of dropped kerbs and tactile paving along Merryfield Crescent; tactile paving to be provided to cross to Chantryfield Road; provision of tactile paving on Pine Trees Close and Furzefield Close; and provision of dropped kerbs on Garden Close.

ENVIRONMENT AGENCY:

As the site is located in Flood Risk Zone 1 the Environment Agency should not be consulted on this application and therefore have not provided a response.

ADC ENVIRONMENTAL HEALTH:

No objection.

Environmental Health requires the provision of acoustically treated mechanical ventilation to the facades of all houses facing onto the A27 and Water Lane and commercial properties accessed off Dappers Lane. Noise mitigation measures, including acoustic barriers are required in relation to the industrial units off Dappers Lane and noise from the A280 and A27. Environmental Health has requested conditions regarding external lighting, the submission of a Construction Management Plan, restricting hours of operation, the submission of an air quality assessment, and the requirement for the provision of Electrical Vehicle Charge points. The site encompasses the motor racing circuit and the imposition of contaminated land conditions is requested.

SOUTHERN WATER:

No objection raised subject to the imposition of conditions.

There is a public water trunk main within the site. The exact position of the public water main must be determined on site by the applicant before the layout of the proposed development is finalised. Initial investigations indicate that there are no public surface water sewers in the area to serve the proposed development. Alternative means of draining surface water from this development are required, which should not involve disposal to a public foul sewer. Southern Water can provide a water supply to the site.

WSCC FLOOD RISK MANAGEMENT:

No objection.

The majority of the site is at a low risk from surface water flooding although there are small areas of

higher risk associated with field boundaries and impermeable surfaces currently on site. Any existing surface water flow paths across the site must be maintained. The proposed development site is shown to be at low risk from ground water flooding. The submitted Flood Risk Assessment says that attenuation with controlled discharge to the watercourse system would be used to drain the surface water from the development. WSCC has requested a developer contribution of £54,600 towards the Angmering Flood Risk Management Project to deliver sustainable water management for the Black Ditch catchment through Angmering.

ADC DRAINAGE:

No objection.

Winter groundwater monitoring is required to be completed, which will demonstrate if infiltration is viable, and if infiltration is not viable monitoring is required to demonstrate the risk of flotation is adequately taken account of in attenuation design. At detailed design stage it will need to be demonstrated that the risk of flotation has been appropriately mitigated for and that sufficient free volume for water storage is available. Attenuation basin 'A' should be kept shallow and unlined to allow for a little infiltration when conditions allow.

SOUTH DOWNS NATIONAL PARK AUTHORITY (SDNPA):

The SDNPA made comments on the principal of the strategic allocation (SD9), through the consultation on the modification to the Arun Local Plan in May 2017 and February 2018. The principle of the development has therefore already been considered and commented on. The proposed direct access from the site to Dappers Lane is supported. The National Park is designated as an International Dark Sky Reserve and consideration is required to limit the use of lighting to reduce light pollution. The large area of open space on the northern boundary of the site is a significant asset but is not suitably linked to the development, visually or physically. The proposed linear park is a corridor rather than a useable feature tying the scheme together from north to south; and the public open space including play areas needs to be integrated into the development.

ADC HOUSING:

No objection.

The proposed provision of 158 affordable homes on the site complies with the policy requirements in the Local Plan for 30% affordable housing. The proposed tenure split is acceptable at 75% affordable rent and 25% intermediate housing. The proposed affordable tenure mix is acceptable. As at March 2018, there were 1,325 households in housing need on the Council's housing register. The affordable housing should be provided in clusters of no more than 20 dwellings across the whole development and be indistinguishable from the market housing.

ADC ECONOMIC DEVELOPMENT:

No objection.

Economic Development would be pleased to be involved in the decision regarding the size of the proposed individual units; as it has good links with local businesses and is often asked to identify suitable accommodation for growing companies. The developer should sign the Arun Developer and Partner Charter as well as providing and implementing an Employment and Skills Plan.

ADC ENGINEERS (STRUCTURAL):

No structural comments to make at this stage.

ADC ARCHAEOLOGY:

No objection.

A condition is recommended enabling the implementation of a programme of trial trenching prior to development.

ADC CONSERVATION OFFICER:

No objection.

The application site is located some distance from the Conservation Area. It is noted that screening is proposed for the southern boundary, which would reduce the impact of any proposed development from the street-scene. As a consequence, it is not considered that the proposal would impact upon the Conservation Area.

ADC GREENSPACE:

No objection.

The new Fields in Trust guidelines (FIT) 'Beyond the Six Acre Standard' suggests a requirement of 4.03 hectares to be provided on a site providing 525 residential units. The proposed development would provide an overall total of 10.03ha of open space. The open space along the northern boundary of the site needs to be integrated through better connectivity with the housing to the south. The employment land in the south east corner requires the open space to be laid out to compliment the layout of the industrial buildings. The indicative layout plan identifies a number of possible locations for a NEAP, LEAPs and LAPs across the site.

ADC ARBORICULTURE:

Object.

There is insufficient detail at this stage to guarantee that significant trees would be retained and afforded the necessary level of respect and protection to ensure their ongoing health and vitality. No Tree Protection Plan or detailed Arboricultural Method Statement (where Root Protection Area incursion is unavoidable) has been provided. The proposed layout plan does not seek to retain those few significant individual trees of quality and/or landscape value. The ADC Arboricultural Officer recommended the making of a Tree Preservation Order (TPO) to preserve 7 individual trees within the application site.

ADC ECOLOGY:

No objection.

A Landscape and Management Plan (LEMP) is required. The lighting scheme will need to consider the presence of bats. A 20 metre buffer must be maintained from the badger sett within the site; and a full management plan for the sett should be submitted as part of the reserved matters application. A condition should be imposed to ensure the mitigation measures proposed in the submitted Dormouse Survey take place. ADC Ecology endorses the proposed package of ecological enhancements that would be implemented on the application site.

COASTAL WEST SUSSEX CLINICAL COMMISSIONING GROUP (CCG)

Planning permission should not be granted without an appropriate contribution to local health infrastructure to manage the additional load on services directly incurred as a consequence of the proposed development. Without associated infrastructure, the CCG would be unable to sustain sufficient and safe services provided in the area and would therefore have to object to the proposed development. The CCG has requested a developer contribution of £575,184 towards the expansion of existing facilities at The Coppice GP Surgery or where existing site constraints and/or building conditions restrict further development, to include these necessary and additional works as part of a new integrated community hub at a new site/expand existing site which will serve the catchment population of this proposed development.

SUSSEX POLICE:

Sussex Police are requesting developer contributions totalling £95,534.76 for the following:

- £7,107.09 towards officer start-up equipment cost in the Angmering Neighbourhood Policing Team.
- £9,009 towards officer start-up recruitment and training in the Angmering Neighbourhood Policing Team.
- £1,773.10 towards staff start-up equipment cost at Littlehampton Police Station.

- £901 towards staff start-up recruitment and training at Littlehampton Police Station.
- £58,737.07 towards the cost of accommodating a minimum of 2.5 additional officers/staff (which are required to police this development) at Littlehampton Police Station.
- £18,007.50 towards the vehicle fleet in the Angmering Neighbourhood Policing Team.

WSSC INFRASTRUCTURE:

WSSC is requesting developer contributions towards:

- Education: No spare primary / secondary / further secondary schools in catchment areas have spare capacity to accommodate the children generated. Formula based contribution into S106 Agreement so that the education contribution may be calculated at a later date. The contributions generated by this proposal shall be spent on a new early years facility serving Angmering; a new primary school serving Angmering, it is intended that Angmering Parish Council will provide 2 hectares to accommodate the early years and 2FE primary school requirements with the site to be sized to allow future expansion to 3FE. If this is not forthcoming, the land will need to be provided by the developer. A financial contribution is required towards Phase 1 of the new secondary school serving Arun; and a contribution towards future expansion at the Angmering School Sixth Form.
- Library: A contribution generated by this proposal shall go towards the development and enhancement of existing services at Angmering Library.
- Fire and Rescue: Formula based contribution into S106 Agreement so that the fire service contribution may be calculated at a later date. The Fire and Rescue Service Contribution should be used towards the re-development of Littlehampton Fire Station.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and issues addressed in the Conclusions section below.

POLICY CONTEXT

Designation applicable to site:

Within a Strategic Allocation in the Local Plan.

Within the Built Up Area Boundary (BUAB) in the Local Plan.

DEVELOPMENT PLAN POLICES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ECCDM1	ECC DM1 Renewable Energy
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
ENVSP1	ENV SP1 Natural Environment
HDM1	H DM1 Housing mix
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERDM6	HER DM6 Sites of Archaeological Interest
HSP1	HSP1 Housing allocation the housing requirement
HSP2	H SP2 Strategic Site Allocations

HSP2C	H SP2c Inland Arun
EMPSP3	EMP SP3 Strategic Employment Land Allocations
HWBSP1	HWB SP1 Health and Wellbeing
INFSP1	INF SP1 Infrastructure provision and implementation
LANDM1	LAN DM1 Protection of landscape character
OSRDM1	Protection of open space,outdoor sport,comm& rec facilities
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QEDM3	QE DM3 Air Pollution
QEDM4	QE DM4 Contaminated Land
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
SODM1	SO DM1 Soils
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management
WSP1	W SP1 Water

Angmering Neighbourhood Plan 2014 POLICY EH3 Flood Prevention

Angmering Neighbourhood Plan 2014 POLICY CLW1 Provision of a Youth Centre

Angmering Neighbourhood Plan 2014 POLICY CLW4 Health Facilities

Angmering Neighbourhood Plan 2014 POLICY HD1 Built-up Area Boundary

Angmering Neighbourhood Plan 2014 POLICY HD3 Housing Mix

Angmering Neighbourhood Plan 2014 POLICY HD4 Materials

Angmering Neighbourhood Plan 2014 POLICY HD5 Built Form

Angmering Neighbourhood Plan 2014 POLICY HD6 Housing Layout & Design

Angmering Neighbourhood Plan 2014 POLICY HD7 Housing Density

Angmering Neighbourhood Plan 2014 POLICY HD8 Parking for New Developments

Angmering Neighbourhood Plan 2014 POLICY HD9 Phasing of Residential Development

Angmering Neighbourhood Plan 2014 POLICY TM1 Local Highways

Angmering Neighbourhood Plan 2014 POLICY EH2 Protect the Landscape setting of the South Downs National Park

Angmering Neighbourhood Plan 2014 POLICY TM2 Cycling Walking & Equestrian

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.

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

The Neighbourhood Development Plan:

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton; Ford.

Relevant Angmering Neighbourhood Plan (ANP) policies have been taken account of and are addressed in the Conclusions section of this report.

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 located in a strategic allocation (SD9) within the built-up area boundary and complies with relevant Development Plan policies.

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 development plan for Arun District comprises the Arun District Local Plan (2011-2031) and the Angmering Neighbourhood Plan (2014-2029).

Policy H SP1 of the Local Plan sets out the overall provision of 20,000 new homes through the Local Plan phased over the plan period to 2031. This Policy allocates 800 units to be provided in the Angmering North strategic allocation. The application site (A/40/18/OUT), comprising Land North of Water Lane Angmering, constitutes part of a strategic allocation (Angmering North) in Policy H SP1; and the 525 houses proposed in this outline planning application would contribute towards the overall total of 800 units.

The Angmering Neighbourhood Plan (ANP) was made (adopted) on 11th March 2015 on the basis of the saved policies in the former Arun Local Plan (2003) and the policies in what was the emerging Local Plan in 2014. The site is located outside the built-up area boundary for Angmering as identified in the Neighbourhood Plan and is therefore contrary to Policy HD1 (Built-up Area Boundary) of the ANP. The application site is therefore classed as countryside by the ANP; and the outline planning application conflicts with the ANP. However, the built-up area boundary has been amended on the Policies Map in the Local Plan (2011-2031). The application site is now located within the BUAB. Consequently, the proposed development is contrary to the Neighbourhood Plan, but the BUAB boundary has been revised and the proposal is considered to be acceptable in accordance with the newly adopted Local Plan. The test in Section 38(5) of the Planning and Compulsory Purchase Act, 2004: "If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document". The BUAB policies in the Local Plan are to be considered in favour of those in the Neighbourhood Plan.

Policy H SP2 of the Local Plan says that "Development proposals within the Strategic Site Allocations must be comprehensively planned". The proposed development would constitute one of the three sites that comprise the Angmering North Strategic Allocation in the Arun Local Plan, in combination with Land South of Water Lane (A/99/17/OUT) and Land off Dappers Lane. As the three sites are physically separate, the aspects which would benefit from a comprehensive masterplan are limited, nonetheless, an integrated masterplan has been produced which shows how the North and South Water Lane sites could be developed and an assessment of this is provided in the Technical Matters below. The highway mitigation measures and pedestrian/cycle enhancements have also been planned for both of the sites together, as set out in further detail in the transport section of the report.

The outline planning application includes parameters plans (and an indicative layout plan). Whether or not the applicant has identified a clear definition between the built-up area and the countryside, in accordance with Policy H SP2(b) will be assessed in the conclusion section below. The applicant has submitted an Ecological Report and a Landscape and Visual Impact Appraisal and they are assessed in detail in the Technical Matters below to evaluate whether or not the natural environment, landscapes and biodiversity are protected and conserved by the proposed development, in accordance with Policy H SP2(c). The Design and Access Statement is assessed in more detail in the conclusion section below to evaluate whether it ensures that the proposed mixed use development incorporates high quality, well connected green spaces, planting within main streets and biodiversity rich open spaces, in accordance with Policy H SP2(d). Whether the proposed on-site green infrastructure identified in the Design and Access Statement, including the Landscape Strategy ensure the proposed development complies with Policy H SP2(e) in terms of extending, enhancing and reinforcing strategic green infrastructure and publicly accessible open space is evaluated in the conclusion section of this report below.

This outline planning application does not include the provision on-site of a new community hub as no hub has been identified as being required to be provided by any of the infrastructure providers including Arun District Council, consequently Policy H SP2(f), Policy H SP2(h) and Policy H SP2(i) do not apply. This outline planning application site would not have its own facilities provided (e.g. library, doctors, schools etc), and it would be reliant on the existing centre to provide these facilities and make sure there are improvements where required, including the provision of a new primary school off-site, in accordance with Policy H SP2(g).

A number of financial contributions will be secured towards infrastructure provision via the S106 agreement. These contributions are detailed in the attached Heads of Terms and considered in detail later in the conclusion to this report. However, based upon the contributions to be secured it is considered that the proposals will accord with Policy H SP2 (n) of the Arun Local Plan. The Infrastructure Delivery Plan (IDP) 2017 does not identify the requirement for any district wide infrastructure to be incorporated as part of the strategic allocations at Angmering and as such the proposal does not conflict

with Policy H SP2 (p) and (q) of the Arun Local Plan.

The applicant has submitted a Walking and Cycling Connections Plan which illustrates how the site would link up with the existing pavements and cycleways in Angmering to ensure walkable access to local community, recreational and shopping facilities, jobs and accessible transport, in accordance with Policy H SP2(j). The proposed developer contributions to the local highway network would comply with Policy H SP2(k). The submitted Flood Risk Assessment ensures that the proposed residential development would positively respond to sustainable water management, in accordance with Policy H SP2(l). The landscape assessments carried out during the determination of this outline planning application would ensure that the proposed mixed use (residential and employment) development on the site maintains views from the South Downs National Park, in accordance with Policy H SP2(m).

Policy H SP2c of the Local Plan focusses on "Inland Arun" and includes the Angmering North strategic allocation (SD9) and sets out specific criteria that planning applications within this specific strategic allocation will be required to meet. The draft S106 Agreement includes developer contributions towards services at Angmering Library, in accordance with Policy H SP2c(a) of the Local Plan. The applicant is prepared to provide a developer contribution in the draft Section 106 Agreement towards extending the existing local village health facilities in the locality, in accordance with Policy H SP2c(b) of the Local Plan. The applicant is prepared to provide a developer contribution towards early years provision alongside the primary school provision, in accordance with Policy H SP2c(c). A developer contribution towards the new school on land at Bramley Green and Mayflower Park will be secured, in accordance with Policy SP2c(d), and the issues relating to the delivery of the school site are discussed in the infrastructure section of the report. The applicant has submitted a Landscape and Visual Impact Assessment with the outline planning application which has been appraised and the mitigation measures are assessed in the conclusion section below, in accordance with Policy H SP2c(e).

Consequently, the outline planning application demonstrates how it meets criteria a) to d) of Policy H SP2c regarding exploring opportunities to provide library access; extend the existing local village health facilities in the locality; contribute to accommodation for nursery places; and primary school provision, respectively.

STRATEGIC EMPLOYMENT LAND ALLOCATION

Policy EMP SP1 of the Local Plan identifies "the provision of new high quality employment sites: strategic employment land allocations in Bognor Regis, Littlehampton and Angmering".

Policy EMP SP3 of the Local Plan allocates employment land amounting to 3.0 hectares (gross), west of the A280, north of Water Lane in Angmering (Site No. 7). Policy EMP SP3 says:

"Development of site 7 at Angmering will need to be designated as part of the strategic housing allocation (SD9). Due to the close proximity to the South Downs National Park, proposals for the employment allocation will need to demonstrate that the proposal:

- is located in an easily accessible part of the site, in close proximity to the A280;
- is developed in such a way so that it will not have a detrimental impact upon the setting of the South Downs National Park;
- ensures that flood risk is satisfactorily mitigated; and
- integrates transport measures."

The size of the Commercial Park in the south east corner of the application site is 3ha (gross) for employment and the amount of floor space shown is 6,000 square metres. However, this includes the attenuation area/ open space to the west and therefore the net site area for the employment use is approximately 1.8ha. The figure of 6,000 square metres is based on the footnote in Policy EMP SP3 of the Arun Local Plan which says: "a standard plot ratio of 0.4 shall be applied to the gross site area to calculate the approximate floorspace that could be accommodated. The resulting floorspace shall then

be discounted by 50% to account for the sensitivities of this site which borders the South Downs National Park". The purpose of the reduced floorspace area relative to the site area is to ensure that the landscape impact on the SDNP is acceptable - allowing additional space for buildings to be lower heights and less dense, rather than higher buildings and a dense form of development which would have a greater landscape impact. The Landscape and Visual Impact Assessment assessed the impact of the employment area on the SDNP and concluded that mitigation measures, including structural planting along the southern edges of the employment area would screen the development from the south. This is illustrated on the Landscape Strategy in the revised Design and Access Statement. The Design and Access Statement also sets out the proposed character of the Commercial Area. This includes blocks which step down in height closest to the residential areas, perimeter blocks with a variety of footprints to reduce the visual bulk of the development, screening planting, and a height restriction of 12m ridge heights.

The employment buildings need to be well screened along the southern and eastern boundary of the site to mitigate views from Highdown Hill in the South Downs National Park. The layout of the employment buildings has also been amended by re-arranging them to fronting onto the attenuation basin; which would make the attenuation basin a feature of the Commercial Park.

The floorspace proposed consists of Class B1 uses (which includes offices, research and development, appropriate light industry). Policy EMP SP3 doesn't specify the mix of employment uses that would be anticipated on this site and given the proximity of the employment area to the residential development on the site, it is considered that Class B1 uses would be the most appropriate uses on the site.

It is considered necessary to impose a condition restricting the ridge height of the employment buildings to 12m and no more than 2 storeys, limiting the uses to B1 office due to the proximity to the South Downs National Park and to a development that would include 525 new dwellings. This mitigation would ensure that, despite the reduction in the gross site area, the site can accommodate the required floorspace of 6,000 square metres without a negative impact on the setting of the SDNP. The detailed design of the units at reserved matters stage should take into account and respond to the sensitivity of the setting.

The Commercial Park is located in close proximity to the A280, which is accessed directly off Water Lane and is therefore in an accessible part of the site in accordance with Policy EMP SP3. The Policy also requires the integration of 'smarter choices' transport measures. These relate to employment travel plan schemes which provide people with practical methods to reduce car journeys, through cycle schemes and car sharing in order to reduce travel demand. The submitted Framework Travel Plan excludes employment development therefore a condition is recommended to ensure that prior to occupation of the employment floorspace a detailed Employment Travel Plan is prepared and implemented in order to meet the requirements of EMP SP3.

The mitigation of flood risk required by EMP SP3 is assessed in the surface water flooding section below.

Subject to the imposition of conditions, the proposed employment part of the mixed use development is considered to be acceptable and complies with Policy EMP SP3 and Policy H SP2c(f) of the Local Plan.

Conclusion on Principle

The principle of residential development on the application site, which comprises part of the Angmering North strategic allocation is acceptable. Sufficient information has been submitted to demonstrate that the proposed development would contribute to the delivery of a comprehensively planned Angmering North strategic allocation (SD9). The proposed development includes effective connectivity of transport modes including walking and cycling within the site and into Angmering Village, together with connectivity to the public transport network, in compliance with Policy H SP2(a) and Policy H SP2(j). The Design and

Access Statement includes information illustrating the provision of a high quality development, but the indicative layout plan fails to translate this to create a sense of place with a distinctive, high quality landscape-led development. The submitted Ecological surveys ensure that the natural environment and biodiversity are protected and conserved and it is considered to be acceptable in accordance with Policy H SP2(e) and Policy H SP2(m) of the Local Plan.

TECHNICAL MATTERS

AGRICULTURAL LAND

Part of the site is identified as Grade 1 agricultural land and representations have raised the loss of agricultural land as an issue. However, part of the site is a motor racing circuit. Grade 1 is classified as 'best and most versatile' land which is the most flexible, productive and efficient. The NPPF (paragraph 170) requires that the Council takes into account the economic and other benefits of this type of land. The Local Plan's Sustainability Appraisal recognised that most of the undeveloped coastal plain within the District is high grade agricultural land. The loss of BMV is one factor in the decision making process.

Policy SO DM1 of the Local Plan states that development will not be permitted on this type of land unless 'designated by this plan' or unless the need for the development outweighs the need to protect such land in the long term. It is important to note that residential development in the District will inevitably involve the loss of best and most versatile land and that mitigation measures can be adopted to preserve the soil resource.

Overall, the loss of the agricultural land is permissible as there is an overriding need for the development. It also accords with Policy SO DM1 of the Local Plan as an allocated site.

LANDSCAPE

The statutory purposes of the National Park are:

- 1) to conserve and enhance the natural beauty, wildlife and cultural heritage of the park; and
- 2) to promote opportunities for the understanding and enjoyment of the special qualities of the park by the public.

It is a duty of the LPA to assess the application carefully as to whether the proposed development would have a significant impact on or harm those statutory purposes. Paragraph 172 of the NPPF (February 2019) sets out the Duty of Regard for LPAs when dealing with planning applications within or affecting the setting of a National Park: "great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks". Policy HD5 of the Angmering NP says: "New development must not adversely impact upon the landscape setting or views into or out of the South Downs National Park."

A Landscape and Visual Impact Assessment (LVIA) which was submitted with the outline planning application concluded that overall the proposed development would result in a moderate adverse landscape effect on the Ecclesden Hills Landscape Character Area, the South Downs National Park (SDNP) and Groom's Copse Ancient Woodland. Public footpath 2149 was also considered to experience a moderate adverse effect. The LVIA concluded that any views of the South Downs National Park would be limited to those areas east of the site and would be limited to glimpses of roofs over the existing vegetation. These views would be further filtered by the mitigation planting along the southern boundary of the site, proposed in the Landscape Strategy in the revised Design and Access Statement. The eastern edge of Angmering is visible from within the National Park but it is separated from the boundary of the Park by Groom's Copse, the A280 corridor and agricultural land. Built development is currently

visible from this part of the National Park and is established as part of the landscape character. This includes the current effects of lighting, noise and loss of tranquillity from the built-up areas of Angmering. Any new development on Land North of Water Lane (i.e. the application site) would also be seen in this context. The Arun Landscape Capacity Study (2017) recognises the corridor of the A280 as a containing feature; and the applicant is proposing a substantial landscaped buffer measuring 15 metres deep along the eastern boundary of the site; together with a substantial landscaped buffer along the northern boundary of the site with the A27.

A Memorandum of Understanding (an MoU) was prepared and agreed in September 2017 by both Arun District Council and the South Downs National Park Authority (SDNPA) to assist in the resumption of the Examination in Public into the new Local Plan. In the spirit of the MoU and paragraph 172 of the NPPF (February 2019), it is fundamental that ADC works with the SDNPA and the applicant at an early stage of the Reserved Matters application to ensure that the design of the scheme is 'landscape led'.

LOCAL PLAN INSPECTOR'S COMMENTS ON LANDSCAPE ASSESSMENT AND VIEWS FROM NATIONAL PARK

The Inspector stated "some of the sites at Angmering North (those bordering the South Downs National Park) are shown to have 'substantial' landscape sensitivity and 'low capacity' for development. The Inspector said that the sites are particularly visible from the publicly accessible elevated ground at Highdown within the National Park but he could not see any specific analysis of viewpoints/receptors from this direction in the Landscape Capacity Study, 2017. The Inspector noted that the National Park Authority did not object to the allocation subject to the inclusion of an additional criterion within Policy H SP2c on landscape appraisal.

A viewpoint assessment was carried out by the Council. The Viewpoint Assessment concludes that the effects on the setting of the National Park are geographically limited and most residual effects would be capable of being mitigated by a generous planted mitigation buffer.

It is considered that the proposed 15 metre wide landscape buffer along the eastern boundary of the site with Groom's Copse is sufficiently thick to provide the screening required in the LVIA and to address the Inspector's concerns. This is consistent with the Memorandum of Understanding that exists between ADC and the SDNPA which was before the Inspector. To assist the development of the buffer and provide a more immediate effect a condition has been agreed with the applicant that requires the buffer to be planted using a mixture of plant sizes. The planting of advanced nursery stock and a small percentage of semi-mature trees in the woodland planting would reduce significantly the time required to create a substantial planted screen.

The Landscape Strategy also includes proposed planting to screen views from the SDNP (in addition to the landscape buffer). This is identified as needing to be a minimum of 6m wide to the southern edge of the residential and employment areas to screen development from the south and would include a mixture of native shrub and tree species. Due to the importance of landscape screening to mitigate the impact of development, the proposed condition refers to this screening in addition to the landscape buffer.

Consequently, the LPA considers that the proposed landscaped buffer along the northern boundary of the site with the A27; and the landscape buffer along the eastern boundary of the application site incorporating advanced nursery stock and semi-mature trees would both together mitigate the visual impact of the residential development and ensure that the current outline planning application accords with the NPPF, Policy HD5 (Built Form) and EH2 of the Neighbourhood Plan and Policy LAN DM1 and Policy H SP2 and Policy H SP2c (e) of the Local Plan.

ILLUSTRATIVE LAYOUT AND DESIGN

Policy D DM1 of the Local Plan requires proposed developments to "deliver or contribute to the ease of

navigation within a new or existing development scheme through use of focal points (landmarks, gateways, vistas, corner buildings, active edges, existing topography), and/ or a variety of detail within the public realm".

Policy D SP1 of the Local Plan requires "all development proposals should be of good quality and demonstrate a high standard of design". Policy EMP DM1 of the Local Plan refers to a high standard of design and landscaping appropriate to the context. Policy HD6 of the Angmering NP says "proposals for new development should demonstrate high quality design, reflect local distinctiveness, and seek to incorporate local design features evident in buildings in the surrounding area".

The Design and Access Statement (DAS) provides an analysis of the site area and the wider context, providing a character analysis of traditional buildings in Angmering Village including the Conservation Area and the newly built estates on Roundstone Lane. The DAS includes principles of development and it sets out how the design for the site evolved taking into account key opportunities and constraints.

The DAS addresses the following issues, which would be a matter for the detailed Reserved Matters stage, but provides an indication of the ability to deliver an acceptable scheme:

Character and Appearance

The revised Design and Access Statement includes 5 distinct character areas, 4 of which are focussed on the residential areas of the site and the fifth is the employment area: The Gateway Avenue running north/south from the site entrance on Water Lane up through the site linking all of the housing character areas, The Village which is located on both sides of the Gateway Avenue, The Parkland Edge which is located at the northern end of the Gateway Avenue and is bounded to the north by the large area of open space proposed along the boundary with the A27, and the Woodland Edge which is situated in the eastern part of the site adjacent to the boundary with Groom's Copse. The employment area in the south east corner of the application site is referred to as the Commercial Park.

A materials palette has been submitted in the revised Design and Access Statement which includes flint work, wall and roof tiles, brick types and details of windows and porches for the houses in all 4 of the residential character areas. The materials palette has been prepared based on the existing building styles and architectural details of buildings in Angmering. The materials palette is considered to be acceptable as it would ensure a high quality built development on the application site; and it provides a framework for the details of the scale and appearance of the dwellings which would be submitted at the reserved matters stage.

The revised Design and Access Statement includes a street hierarchy comprising a Primary Avenue (running north/south through the site alongside a linear park linking the public open space near the A27 with the Gateway opportunity area at the site entrance off Water Lane. The Primary Avenue would lead into a Secondary Avenue / Street; which would lead off into the Residential Street; which would lead on to the Lane / Homezone; which ends in Private Courts / Drives. This hierarchy is considered to be acceptable in ensuring legibility of movement within the site.

The applicant has submitted an indicative layout plan which has been revised several times. However, the 4 residential Character Areas in the Design and Access Statement (The Village, The Gateway Avenue, the Parkland Edge and the Woodland Edge) do not appear visually to have been followed through and transposed onto the indicative layout plan. The densities of the residential development across the site which are depicted on the parameters plan, which are considered to be acceptable have not been transferred clearly onto the indicative layout plan. The layout plan should show higher densities closer to Angmering Village, with lower densities in the northern and eastern parts of the site. The indicative layout plan shows open spaces with the Local Areas of Play (LAPs) and Local Equipped Areas of Play (LEAPs), but it is considered that these need to be linked up to enhance connectivity and the

Green Infrastructure network on the site. There is a need for the detailed layout plan submitted at the reserved matters stage to locate the equipped play areas (LAPs, LEAPs and the NEAP in prominent locations with landscaped corridors linking them and providing vistas between the play areas. The western arm of the Linear Park (i.e. to the west of the Ecological Enhancement Area) has been removed from the indicative layout plan. The east/west linear park shown on the Concept Plan at pre-application stage should be re-instated. The north/south and east/west linear park needs to be widened as the amount of land occupied by the linear park has reduced substantially since it was first proposed at the pre-application stage.

A Gateway feature is required at the southern entrance to the site. It is considered that an attenuation basin alone does not constitute a gateway feature; and this needs to be shown clearly on any detailed layout plan submitted at the reserved matters stage. Consideration needs to be given to the vistas that should be created when entering the site and travelling through it. Focal buildings need to be incorporated into the Layout Plan that is submitted at the reserved matters stage, with a focal greenspace in the centre of the site alongside the re-located attenuation basin, creating a sense of arrival; thereby assisting with movement and legibility throughout the site.

The topography of the site and the existing landscape framework on and around the site provide a huge opportunity to provide the context for delivery of a distinctive, attractive mixed use development. The Design and Access Statement includes illustrations to support this concept of landscape led design, which is supported. However, it is considered that this landscape-led approach has not been transposed onto the indicative layout plan. This could be a landscape-led development, but the layout plan has the appearance of a homogenous housing estate.

It is considered that the Design and Access Statement and the Parameter Plans provide the requisite framework for a visually attractive, well planned, landscape-led mixed use development on Land North of Water Lane, but the indicative layout plan does not set that development out in a coherent way. If outline planning permission is granted, that the indicative layout plan would not part of the permission and an informative to that effect is recommended.

Subject to conditions, the proposed development as set out in the Design and Access Statement and the Parameter Plans showing the building heights and the different densities of development across the site complies with Policy D DM1, Policy ENV DM4 and Policy H SP2 of the Local Plan and Policy HD4 and Policy HD6 of the ANP.

Density and Scale

Policy D DM1 of the Local Plan says "the density of new housing will make efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. Proposals should take into account the density of the site and its surroundings. The density of large sites should be varied to guard against uniformity" (Policy D DM1(13)). Policy HD7 of the Angmering NP seeks to ensure that the density of new development is in keeping with the surrounding area and should be complied with.

The revised Parameters Plan submitted with the outline planning application now shows higher densities located closer to Angmering Village, with lower densities in the northern and eastern parts of the site, which is acceptable because it is important for the development to have the appearance of a natural extension to Angmering Village.

The Building Heights Parameters Plan shows high buildings, i.e. 2 and a half storey dwellings located closer to the boundary with the village, and not on the eastern boundary of the site. The location of the Commercial Park in the south east corner of the site would be visible from the National Park when viewed from Highdown Hill. It is considered appropriate to impose a condition at this outline planning

stage requiring the height of the commercial buildings not to exceed two storeys in height.

Subject to a condition restricting the height of the buildings on the Commercial Park, the proposed densities illustrated on the Parameters Plan complies with Policy D DM1(13) of the Local Plan and Policy HD7 of the Angmering NP.

AFFORDABLE HOUSING and HOUSING MIX

Policy AH SP2 of the Local Plan says "for all developments of 11 residential units or more the Council will require a minimum 30% of the total number of units proposed on site to be provided as affordable housing on the same site in the first instance".

The applicant has submitted a Planning Statement including an Affordable Housing Statement, with the outline planning application. The residential development on the site includes 158 affordable houses (30% provision which accords with the affordable housing policy in the Local Plan), and comprises 75% Affordable Rent and 25% Shared Ownership. The proposed quantum of affordable housing is considered to be acceptable. The detailed tenure mix would be provided at the reserved matters stage. The applicant will need to ensure at the reserved matters stage that the affordable housing would not be clustered entirely in one location on the site.

The LPA requests that the applicant engages with one of the Council's preferred registered partners or an approved non registered partner for the acquisition of the affordable housing. All of the necessary affordable housing requirements will be secured via a S106 Agreement.

The proposed development complies with Policy AH SP2 of the Local Plan.

Policy HD3 of the ANP requires at least 25% of homes to be built to a Lifetime Homes standards. The equivalent standard to Lifetime Homes is Category 2 M4(2). In addition, to meet the requirements of D DM1 (5) in relation to adaptability for the changing needs of occupants and to meet the needs of the ageing population, 20 properties on site will need to meet the wheelchair accessible standard M4 (3). It is considered that this can be secured adequately via a suitably worded condition.

OPEN SPACE PROVISION

Policy OSR DM1(2a) of the Local Plan says: "housing will be required to contribute towards open space provision in accordance with guidance set out in the current Open Space Study. In some parts of the district open space provision is identified as being sufficient in terms of quantity. Therefore, provision of new open space is not deemed necessary but what is needed is to seek contributions for quality improvements and/or new off-site provision in order to address any future demand."

The outline planning application includes 10.03ha of open space comprising play areas (1.02ha), informal open space (6.10ha), landscape buffer (0.67ha), ecological enhancement area (1.57ha) and SuDS (0.67ha).

It is considered that the provision of 1 NEAP, 2 LEAPs and 7 LAPs on the site as proposed in the indicative layout plan would be acceptable in terms of the quantity of play areas. The proposed NEAP located within the landscaped buffer in the northern part of the site is considered to be good quality, well-spaced, unfenced and occupied by timber play equipment, as proposed in the revised Design and Access Statement. It is understood that the 7 LAPs would generally not include play equipment.

The first LEAP shown on the revised indicative layout plan in the centre of the site appears to have been squeezed alongside the roadway and it is not well connected with the surrounding area. A second LEAP is shown along the western boundary of the site, but it is considered that there should be a play area provided serving the southern part of the application site. It is considered that, at the reserved matters

stage, a detailed layout plan should be submitted siting a large area of public open space in a prominent central position alongside the north/south spine road.

The open spaces with the LAPS and LEAPs need to be linked up to enhance connectivity and the Green Infrastructure network on the site. There is a need for the layout plan that is submitted at the reserved matters stage to optimise the location of multi-functional green space and equipped play areas (LAPs, LEAPs).

The applicant has demonstrated that the outline planning application meets the requirements for the provision of on-site public open space in terms of quantity in accordance with Policy OSR DM1(2a) of the Local Plan.

TREES

Policy ENV DM4 of the Local Plan requires developers to provide land and tree surveys (d), a tree constraints plan (e) and an Arboricultural Impact Assessment (AIA) to include a tree protection plan and Arboricultural Method Statement (f), which will ensure that development is planned to take a comprehensive view of tree issues at an early stage in the design process and that development works do not have a negative impact on existing trees.

The Angmering NP includes Policy HD6 whereby "layouts must retain important trees and hedgerows. The planting of new trees and shrubs of similar species to those already evident in the immediate surroundings shall be encouraged".

The applicant submitted an Arboricultural Impact Assessment, Arboricultural Survey, Tree Constraints Plan and Tree Retention Plan with the outline planning application.

The ADC Arboricultural Officer has objected as no Tree Protection Plan or detailed Arboricultural Method Statement (where Root Protection Area incursion is unavoidable) have been submitted with the application to ensure that significant trees would be retained and afforded the necessary level of protection. However, a detailed Arboricultural Method Statement and Tree Protection Plan will be submitted at the reserved matters stage, and this will be conditioned.

In terms of the indicative layout plan, the ADC Arboricultural Officer has requested that the internal access road be re-aligned to enable the retention of Trees T5, T8, T11 and T20. The ADC Arboricultural Officer has requested that the footway / cycleway link onto Dappers Lane should be re-routed to fully respect the Root Protection Area (RPA) of mature roadside oak trees. This re-routing is not considered necessary as the applicant proposing to widen and improve an existing pavement link onto Dappers Lane, which would not affect the RPA or the crown of the mature roadside oak trees. The indicative layout plan should be re-configured to ensure that the prominent large oak tree at the north west corner of site (T24) is excluded from the garden of a plot; and that the 15 metre radius of the RPA is respected; and this tree (T24) should be incorporated in an area of open space.

Consequently, it is considered that the layout submitted at the reserved matters stage would need to maximise the location and the RPAs of the 7 trees that are the subject of the current Tree Preservation Order (TPO) designation. The location of the 7 trees within domestic curtilages would be discouraged. The 7 trees should be seen as landscape assets and be incorporated within the Green infrastructure network within the application site. The proposed accesses onto Water Lane and Dappers Lane would not be affected by any of the 7 trees that are subject to the TPO.

Subject to the submission of a detailed layout plan at reserved matters stage that respects the 7 trees that are the subject of the current application for a Tree Preservation Order, and subject to a condition requiring the submission of a Tree Protection Plan, the proposed development complies with Policy ENV

DM4 and Policy H SP2 of the Local Plan and Policy HD6 of the ANP.

TRANSPORT

Policy T SP1 of the Local Plan says that "to ensure that growth in the District strengthens Arun's economic base, reduces congestion, works to tackle climate change and promotes healthy lifestyles; the Council will ensure that development: provides safe access on to the highway network; contributes to highway improvements and promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network".

Site Access:

The two proposed vehicular accesses to the site are directly off Water Lane and Dappers Lane. The vehicular access from Water Lane would be provided by the delivery of a ghost island priority junction, which would utilise the existing site access to the motor racing circuit.

The Dappers Lane vehicular access would serve 37 dwellings and would be located approximately 30 metres north of the existing access into Broadlees Residential Care Home. The Local Highway Authority has raised no concerns with regard to the proximity of the vehicular access between the Dappers Lane access to A/40/18 shown on Drawing number ITB9105-GA-117 and the Broadlees Care Home access to the south (or St Denys to the north). The Local Highway Authority considers that the accesses would be lightly trafficked and visibility splays provided would enable to see vehicles waiting to turn.

There would be clear benefits in design terms in securing a single access point from Dappers Lane to access both the approved Broadlees Care Home and the 37 dwellings proposed. Officers requested that both of these applicants discuss the provision of a single point of access but both have declined to consider this. It is disappointing that this element has not been addressed by either applicant and it is a negative aspect of the proposals.

There would be pedestrian/cyclist access at the vehicular access onto Water Lane; and at the vehicular access onto Dappers Lane. There would be a further two pedestrian/cyclist accesses onto Dappers Lane, one north of Oak Tree Farm and the other south of Culberry Nurseries. The pedestrian/cyclists access south of Culberry Nurseries would also function as an access for buses and the emergency services.

It is considered that the proposed mixed use development would provide safe access onto the highway, in accordance with Policy T SP1 of the Local Plan.

Trip Generation, Distribution and Assignment:

A Transport Assessment accompanied the planning application as required by Policy T SP1(e) of the Local Plan. The proposed development of up to 525 houses on the site is anticipated to generate 242 two way vehicle movements in the AM peak and 237 two way vehicle movements in the PM peak. The proposed development of up to 6,000 square metres of B1 employment space on the site is anticipated to generate 87 two way vehicle movements in the AM peak and 71 two way vehicle movements in the PM peak.

Junctions:

Angmering Parish Council and local residents objected to the proposed development on transport grounds, claiming the existing roads were congested and that the junctions along the strategic road network were functioning at capacity.

The Water Lane / A280 junction currently operates as a priority junction, with a restricted right turn out of Water Lane. Modelling of the existing junction shows the junction will operate at capacity in the year 2019 with committed residential developments and will be exacerbated by the proposed development. In

connection with the Land South of Water Lane (A/99/17/OUT), the applicant is proposing to construct a roundabout at the Water Lane / A280 junction, which would be secured through a Section 106 Agreement.

The proposed development would also include junction improvements to the A280 / Titnore Lane / A27 roundabout comprising a two-lane entry on the A280 south west approach, which is supported by Highways England and the Local Highway Authority. This junction improvement is included in the Section 106 Agreement, rather than in a planning condition.

A developer contribution from this outline planning application has also been agreed between the applicant and the Local Highway Authority towards the A259 corridor improvement scheme; and this is included in the Section 106 Agreement.

Highways England has confirmed that the mitigation measures required at the A27/The Causeway roundabout at Arundel, which consists of white line improvements, should not be delivered by this development but through the future S106 Agreement for the residential development on the Dappers Lane site, which is the third site which makes up the Angmering North Strategic Allocation in the Local Plan.

It is considered that the proposed development on Land North of Water Lane, accords with Policy T SP1 and Policy H SP2 of the Local Plan and Policy TM1 and Policy TM2 of the Angmering NP as it has demonstrated that the transport effects on the local and strategic road network can be satisfactorily mitigated by means of planning conditions and off-site works by means of a Section 106 Agreement.

Public Transport:

Policy T SP1 of the Local Plan says "the Council will support transport and development which is designed to reduce the need to travel by car by identifying opportunities to improve access to public transport services and passenger transport services" (Policy T SP1(a)).

A southbound bus gate is present at the northern end of Dappers Lane under the A27 Bridge towards Patching. It is thought that only a free shopper bus uses the gate for one journey on a Wednesday.

Bus Service 9 provides an hourly link to Angmering railway station, Littlehampton, Worthing and Shoreham. At present the nearest bus stop to access the service is located on Merryfield Crescent. The proposed development would deliver a bus connection to Dappers Lane to enable the diversion of Stagecoach Service 9 into the application site, along with the delivery of two sets of bus stops within the site itself, which would need to be conditioned.

Consequently, it is considered that the proposed development complies with Policy T SP1(a) of the Local Plan by improving access to public transport services.

Footways and Cycle Provision:

Policy T SP1 of the Local Plan says: "The Council will support transport and development which gives priority to pedestrian and cycle movements". Policy T DM1 of the Local Plan says "proposals for all new development must contribute towards the provision of a joined cycle network and Public Rights of Way network, taking into account the aspirational cycle network, which provides convenient, accessible, safe, comfortable and attractive routes for pedestrians and cyclists both in the development and in the form of links between the development" Policy T DM1(d)).

The applicant is proposing 3 pedestrian and cycling links from the application site directly onto Dappers Lane; and a pedestrian and cycle link across Water Lane from the application site into the Land South of Water Lane (A/99/17/OUT) which is provided for in the Section 106 Agreement that accompanies

A/99/17/OUT.

The proposed development includes a new footpath/cycleway running the entire length of the eastern boundary of the site. The application also includes a footway/cycleway link to the South Downs National Park via Dappers Lane and under the underpass for the A27 in the north west corner of the application site. The existing public right of way (PROW 2149) which runs through the site would be retained and improved for pedestrian and cycle use.

The applicant is also proposing to provide a new footway on the western side of Dappers Lane to connect the site access to Merryfield Crescent and Water Lane. The 1.5 metre wide footway would link in with footway improvements that are approved as part of other residential developments along Dappers Lane, include the Merry England Nursery site.

It is considered that the proposed footways and cycleway provisions would ensure that the development complies with Policy T SP1 and Policy T DM1(d) of the Local Plan and Policy TM2 of the ANP.

Parking provision:

Policy T SP1 of the Local Plan says "The Council will support transport and development which incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact upon on-street parking" (Policy T SP1(d)).

Parking will be dealt with at Reserved Matters stage, but from the indicative layout plan, the quantum of car parking spaces would comply with WSCC Parking Standard and be in accordance with Policy T SP1(d) of the Local Plan and Policy HD8 of the ANP.

Travel Plan:

Policy T SP1 of the Local Plan says "The Council will support transport and development which is supported by a Travel Plan, which is effective and deliverable" (Policy T SP1(e)).

A framework travel plan has been submitted with the outline planning application, which reiterates the transport infrastructure improvements that are being proposed as part of the outline planning application; together with incentives for the new house-owners on the site to access public transport and use the proposed footway / cycleway network within the site and connecting with Angmering village centre and the National Park.

The Local Highway Authority has requested a condition requiring the submission of a detailed Travel Plan, which would develop the concepts set out in the framework Travel Plan. As set out in the principle section, an Employment Travel Plan would also be required to secure sustainable transport measures for the employment uses. This has been included in the condition.

It is considered that, subject to the detailed Travel Plan condition, the proposed development complies with Policy T SP1(e) of the Local Plan and Policy TM2 of the ANP.

ECOLOGY

Policy ENV DM5 of the Local Plan says that "development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on site".

A Preliminary Ecological Appraisal and an Ecological Impact Assessment was submitted with the outline planning application. The application site has been the subject of surveys for bats, reptiles, dormice and great crested newts; and the requisite survey reports have been submitted with the outline planning application. There is an active badger sett on the site, which is located within the Ecological

Enhancement Area and the outline application has been accompanied by a Badger Survey and Mitigation Plan. The Badger Mitigation Plan recommends a 20 metre buffer zone as badger excavations can extend up to 20 metres from entrance holes; and it is considered that the Ecological Enhancement Area identified on the indicative layout plan provides a suitable buffer.

The hedgerows and Groom's Copse support dormice. No bat roosts were identified on the site, however trees were identified with potential to support roosting bats. No reptiles or great crested newts were identified within the site. The proposed area of open space in the northern part of the site would provide new ecological opportunities, connecting to buffer zones and off-site habitats in and around the site, preserving ecological networks.

ADC Ecology supports the proposed ecological enhancements on the site including any trees removed should be replaced at a ratio of 2:1; hedge planting used for boundary features between dwellings rather than fencing; dormice boxes to be erected within Groom's Copse and the areas where dormice have been found; a wildlife pond should be created; a wildflower meadow should be planted; gaps in tree lines or hedgerows to be filled in with native species; bat and bird boxes installed on the site; grassland areas managed to benefit reptiles; and log piles provided on-site.

It is considered that subject to conditions, the proposed development accords with Policy ENV DM5 of the Local Plan in relation to the impact on protected species and the potential for the scheme to protect existing habitats where possible and provide enhancements.

HISTORIC ENVIRONMENT

Policy HER SP1 of the Local Plan states that designated heritage assets including listed buildings, structures and their settings; and Conservation Areas will be given the highest level of protection and should be conserved and enhanced in a manner appropriate to their significance. Policy HER DM3(f) of the Local Plan says: "in order to preserve the character or appearance of the Conservation Area, planning permission will normally be granted for proposals within or affecting the setting of a Conservation Area, provided that it does not harm important views into, out of or within the Conservation Area".

In considering whether to grant planning permission with respect to any buildings or other land in a Conservation Area, the Council shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area (Section 72 of the Planning (Listed Buildings and Conservations Areas) Act 1990).

Paragraph 190 of the NPPF (February 2019) requires great weight to be given to the conservation of heritage assets. Any harm resulting from the proposed development should be weighed against the public benefit in accordance with paragraph 196 of the NPPF (February 2019).

The site is located in close proximity to two listed buildings and a Conservation Area (which contains further listed buildings). The closest two listed buildings are: Avenals Farm (Grade II) and Weavers Cottage (II). Weavers Cottage is two storeyed, flint building with brick dressings and quoins (all painted). It has a tiled hipped roof with casement windows. Avenals Farm is an early 19th Century, two storeyed building which is faced with cobbles with red brick dressings. It has a tiled roof and casement windows. As a farm building, Avenals Farm House reflects the localised agricultural land that surrounds it.

Angmering Conservation Area focuses around the historic core of the village. The section of the Conservation Area closest to the development is the High Street and Weavers Hill. This area consists of attractive, small scale, street-fronted residential properties, which have been constructed using local traditional materials (brick, flint, clay tile). There are a number of listed buildings in the Conservation Area, which contribute towards the character of the area.

A Desk Based Archaeological Evaluation Assessment and Report have been submitted with the outline planning application which identified three former field boundaries, but nothing of archaeological interest. The ADC Archaeological Adviser agrees with the conclusions of the Archaeological Desk Based Assessment and requested the imposition of a trial trenching condition.

It is considered that there would be no harm from the proposed development on the Conservation Area due to the distance of the Conservation Area from the proposed development. The proposed development on Land North of Water Lane would have no harm on the Avenal Farm Listed Building which is located south of Water Lane, or on Weavers Cottage Listed Building as the proposed development would be screened from the listed buildings.

It is considered that the proposed development would have no harm on the Conservation Area or the Listed Buildings; and that the proposed development complies with Policies HER SP1, HER DM1, HER DM3, HER DM6 and H SP2 of the Local Plan and Policy EH1 of the ANP

LIGHT POLLUTION

Policy QE DM2 of the Local Plan emphasises the need to consider the impact of light on neighbouring uses and wider landscape, particularly with regard the South Downs International Dark Sky Reserve designation (a), light levels should be the minimum required for security and working purposes (b), and minimise potential glare and spillage (c); and the degree to which outdoor lighting can be powered by on-site renewable sources (d).

The application site is in a semi-rural area of the district, on the boundary of Angmering adjacent to the National Park. As the proposed houses would be sited according to the indicative layout plan away from the properties on Dappers Lane, this would ensure there would be no light pollution emitted from the new houses affecting the existing residents. It is considered that a lighting condition be imposed requiring the submission of details of luminaires that are more suitable to semi-rural areas on the fringes of built-up areas. This is reinforced by the ADC's Ecological Advisor's request that the lighting scheme for the site will need to take into consideration the presence of bats in the local area through the use of directional light sources and shielding. Environmental Health has not raised an objection in terms of light emissions from the proposed residential development on existing residential amenity.

The imposition of a condition ensuring that the external lighting scheme meets the limits the environmental zone E2 (as set out in the Institute of Lighting Professionals Guidance for Reduction of Obtrusive Light) is proposed. The guidance sets out limits for the main sources of light pollution (sky glow, glare and spill) and would ensure that the lighting is appropriate to the wider landscape setting and minimises the impact of the development on the Dark Sky Reserve designation within the SDNP.

Consequently, subject to a condition, it is considered that the proposed development complies with Policy QE DM2(a), (b), (c) and (d) inclusive of the Local Plan.

RESIDENTIAL AMENITY

Policy D DM1(3) of the Local Plan says "have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance".

There are a number of housing estates located off Dappers Lane including Merryfield Crescent situated on the western side of the lane and an approved residential scheme which awaits construction on the Merry England Nursery site on the eastern side of the lane. The Merry England Nursery site backs onto the application site (A/40/18/OUT). The proposed layout of the dwellings on the western boundary of the site as proposed on the indicative layout plan should ensure that neighbouring residential amenity is not

adversely affected by loss of privacy or overlooking on the Merry England Nursery site, and the Broadlees Care Home site. Notwithstanding this, the detailed layout will be dealt with at the reserved matters stage.

Consequently, subject to condition, it is considered that the proposed residential development complies with Policy D DM1(3) of the Local Plan in terms of impact upon neighbouring residential amenity.

NOISE QUALITY

The NPPF and Policy QE DM1 of the Local Plan emphasise that noise sensitive development will not be permitted if its users would be affected by noise by proposed noise generating uses.

A Noise Assessment was submitted with the outline planning application which recommended that sound insulation measures including acoustic glazing and acoustically treated ventilation be provided to habitable rooms that face towards the A27 to the north and Water Lane, to the south.

Environmental Health has requested a scheme of 2.0 metre high noise barriers along the properties that face towards the A27; 3.0 metre high noise barriers to the properties along Water Lane; and 2.0 metre high noise barriers with the commercial units along the western boundary of the application site, so as to reduce outdoor noise. The provision of 2.0 metre high acoustic barriers facing the A27, 3.0 metre high noise barriers along Water Lane and 2.0 metre high barriers along the western boundary of the site would be visually challenging and it is considered appropriate to impose a condition requesting the submission of a noise mitigation scheme including acoustic barriers and facade treatments to houses facing onto existing noise sources. The acoustic barriers could comprise landscaped earth bunds and not necessarily 2.0 or 3.0 metre high fencing, which could be visually detrimental to the site boundaries and detract from views from the National Park and the A27 to the north. The mitigation scheme to be submitted will need to include landscaping details.

Environmental Health has requested conditions regarding the submission of a Construction Management Plan and restricting the hours of operation, so as to reduce the impact of the construction works and noise generation on neighbouring residential and commercial amenity in properties located off Dappers Lane, to the west of the application site.

Therefore, subject to noise conditions ensuring mitigation measures are put in place, the future residents would not be adversely affected by noise in accordance with Policy QE DM1 of the Local Plan.

AIR QUALITY

Policy QE DM3 of the Local Plan says "all major development proposals will be required to assess the likely impacts of the development on air quality and mitigate any negative impacts".

The proposed development is not located in an Air Quality Management Area. The applicant submitted an Air Quality Assessment with the outline planning application which concluded that air quality in the area is generally good; no significant changes in pollution concentrations are anticipated as a result of the proposed increase in vehicle movements on the local road network. The proposed mixed-use (residential and employment) development has been determined to be acceptable in terms of its impact on, and sensitivity to, local air quality. Environmental Health is satisfied with the Air Quality Assessment.

The proposed development complies with Policy QE DM3 of the Local Plan, in terms of air quality.

CONTAMINATED LAND

Policy QE DM4 of the Local Plan says that "prior to any development, the Council will require evidence to show that unacceptable risk from contamination will be successfully addressed through remediation without undue environmental impact during and following the development".

The applicant has submitted a Geo-Environmental Assessment with the outline planning application, which concludes that there are localised pockets of contamination in the area of the motor racing circuit. The Assessment recommends 600mm of clean topsoil and subsoil in private gardens and 300mm topsoil and subsoil in communal gardens/public open space within the area currently occupied by the motor racing circuit. Environmental Health has requested the imposition of contaminated land conditions, which are considered to be necessary in the interests of protection of the environment and prevention of harm to human health.

Subject to the imposition of the contaminated land conditions, the proposed development complies with Policy QE DM4 of the Local Plan.

SURFACE WATER FLOODING

The NPPF requires that development does not give rise to an unacceptable risk of flooding detrimental to human health or property. Policy W DM2 of the Local Plan requires the submission of a site specific Flood Risk Assessment (FRA) which demonstrates that the development will be safe without increasing flood risk elsewhere and reduce flood risk overall; consider flood flow routing and utilise temporary storage areas.

Policy EH3 of the ANP (Flood Prevention) seeks to ensure that any new development must ensure that the prospect of flooding within the development boundaries is mitigated; it does not increase the flooding impact it may have on surrounding properties and areas; and development at risk from flooding should incorporate a sustainable urban drainage system unless it is demonstrated that an alternative drainage system is appropriate.

A Flood Risk Assessment has been carried out which confirms that the application site is located in Flood Zone 1, which is an area with a low probability of flooding from main rivers. An assessment of flood risk to the site highlighted there is a low risk from all sources of flooding. However, the potential for groundwater flood susceptibility from flooding can be managed to an appropriate level with the adoption of mitigation measures employed as part of the proposed development. An assessment of flood risk as a result of the proposed development suggests an increase in the risk of fluvial flooding and could lead to an increased risk of foul sewer flooding. Mitigation measures are proposed to manage run-off from the application site to pre-development (greenfield) rates, meaning that there would be no increase in volumes up to and including the 1% (1 in 100) annual exceedance probability event.

The Outline Drainage Strategy and the additional Drainage Statement submitted with the outline planning application show the site split into 3 distinct catchments:

- The northern catchment (Catchment Area A);
- The southern catchment (Catchment Area B);
- The south-western catchment.

The surface water drainage serving the northern catchment (Catchment Area A) would drain into attenuation basin A. The attenuation basin would normally be dry, with no water stored, and the receiving watercourse would be the Black Ditch. The surface water drainage serving the southern catchment (Catchment Area B) would drain into attenuation basin B - alongside the Commercial Park and the receiving watercourse would also be the Black Ditch. The south-western catchment would be served by a smaller attenuation basin with a separate outfall to the Black Ditch.

ADC Drainage Engineers have raised no objection to the proposed development, subject to conditions being imposed for effective flood mitigation and site drainage. ADC Drainage has requested that winter groundwater monitoring is carried out which would demonstrate if infiltration was viable. The applicant has confirmed to ADC Drainage Engineers that the two proposed attenuation basins within the application site would not comprise water filled ponds, but depressions in the ground.

Southern Water has commented that the exact position of the water main crossing the site should be determined on site at the same time as the reserved matters are submitted. A condition is recommended to ensure that the public water supply mains on site is protected.

Overall, sufficient information has been provided to demonstrate that a SuDs scheme for the site could be developed based on the principles in the Drainage Strategy and shown on the Illustrative (indicative) Masterplan, in accordance with Policy W DM3 and Policy H SP2 of the Local Plan and Policy EH3 of the ANP.

FOUL WATER DRAINAGE

Policy W DM1 of the Local Plan deals with foul water drainage: development which will materially increase foul water discharges will be refused unless the LPA is satisfied that either adequate drainage capacity exists or appropriate drainage capacity can be provided as part of the development.

The Flood Risk Assessment (FRA) and Outline Drainage Strategy submitted have identified that the indicative foul water drainage in the proposed estate roads serving the proposed development would require a new sewer to be provided to connect the site with the existing off-site foul sewerage infrastructure. Following the granting of outline planning permission, the applicant would be required to submit an application to Southern Water for the new sewer connection.

Southern Water has confirmed that the needs of the development cannot be accommodated without providing additional local infrastructure and have recommended a condition to ensure that a scheme is submitted and approved prior to development commencing.

Subject to conditions requiring submission of a detailed foul drainage scheme the proposal accords with Policy W DM1 of the Local Plan as it demonstrates that the infrastructure could be upgraded to ensure sufficient capacity for the development.

ACCOMMODATION SUITABLE FOR OLDER PERSONS AND PEOPLE WITH DISABILITIES

The proposed standards for the provision of accommodation suitable for older persons and people with disabilities are treated as a material consideration in respect of the determination of all relevant planning applications. The weight given to this material consideration will increase following the consultation and adoption of the policy by the Council. The LPA is prepared to negotiate with applicant's over the number of units provided to meet this requirement prior to the adoption of the policy. As the policy document has not been formally consulted on or adopted by the LPA, it is considered reasonable and appropriate to accept 10% of all dwellings designed and constructed to m4(2) standard and 10 dwellings designed to m4(3) standards on the Land North of Water Lane, Angmering, which would be achieved by means of a condition.

SUPPORTING INFRASTRUCTURE

Development is only acceptable with the provision of or contributions to the necessary infrastructure and facilities to mitigate the impacts of the development. Policy HD9 (Phasing of Residential Development) of the ANP seeks to make sure that new housing proposals demonstrate that there is the necessary capacity in the community and physical infrastructure and services are available to support the increase in population. Representations received raised concerns about the lack of capacity of education and healthcare facilities in the area.

WSCC have confirmed that the present nursery, primary and secondary schools within the catchment areas of the proposal would not have spare capacity and would be unable to accommodate the children from the proposed development. The financial contribution requested by the County Council would be based on: the housing allocation at Angmering North and Angmering South and East providing a 2FE

primary school expandable to 3FE and incorporate the provision of early years places. A developer contribution of £748,125 is required towards a new early years facility serving Angmering, based on the provision of 525 dwellings; and £2,650,200 towards a new primary school serving Angmering, based on the provision of 525 dwellings.

A site has been identified which would provide an extension to land that has already been secured for a new primary school in the south of Angmering. The County Council will be seeking to secure the land from the Parish Council which would ensure that the primary school requirements can be met.

A formula based contribution is required towards Phase 1 of the new secondary school serving Arun. The financial indicative contribution, based on a SHMA compliant scheme would be 72 (pupils) x £33,538 = £2,414,736 (the S106 will make reference to the secondary contribution being index linked). The applicant has confirmed their acceptance of this formula based approach which would be based on the actual mix. As the applicant has agreed to provide this contribution as part of the S106 agreement it is considered that the development would accord with policies H SP2c (a), H SP2(n) and INF SP1 of the Arun Local Plan.

The further education contribution generated by this proposed development shall be spent on future expansion at the Angmering School Sixth Form, which is CIL compliant.

In addition the following contributions are considered to be CIL compliant and are required in order to mitigate the impact of the development:

- £98,437.50 towards the development and enhancement of existing services at Angmering Library.
- re-development of Littlehampton Fire Station, providing additional services for the residents of Angmering (formula based),
- £54,600 towards the Angmering Flood Risk Management Project to deliver sustainable water management for the Black Ditch catchment through Angmering.
- £575,184 toward the expansion of existing health facilities at The Coppice GP Surgery or where existing site constraints and/or building condition restrict further development the CCG seeks to include these necessary and additional works as part of a new integrated community hub facilities.
- £95,534.76 to fund the future purchase of police infrastructure to serve the proposed development.
- £253,882 to increase the level of swimming pool changing facility and provide village change spaces as part of the new leisure centre to be provided in Littlehampton;
- £361,777 (i.e. £240 per dwelling = £126,000 plus £235,777 = £361,777) towards health & fitness stations and increase the gym changing facilities as part of the new leisure centre.
- £34,695 towards the provision of a new full size 3G pitch surface and base layer at a new facility at Palmer Road, to serve the East of the District.
- £143,717 towards the provision of a sports pitch at a new facility at Palmer Road.

As the developer of the Land to the South of Water Lane (A/99/17/OUT) is to contribute in full for the re-provisioning of the BMX Track, Skatepark and Fitness Equipment on land to the west of Mayflower Park, which amounts to £200,000, the developer contribution towards the new leisure centre at Littlehampton was reduced in terms of A/99/17/OUT. It is considered reasonable for the applicant for the Land North of Water Lane (A/40/18/OUT) and the third site within the Angmering North Strategic Allocation (i.e. Dappers Lane) take up the shortfall in contributions to the number of health & fitness stations and increase the gym changing facilities as part of the new larger leisure centre, and for the developer contributions to be apportioned to Land North of Water Lane and to Dappers Lane proportionately based on the number of houses proposed on the two sites. This is reflected in the figures above.

The highways infrastructure and open space requirements are set out in the relevant sections above and further detail is set out in the S106 Agreement Table attached to this report.

The proposed on-site provision of 158 affordable housing units would be secured through Section 106 Agreement, in accordance with Policy AH SP2 of the Local Plan.

Angmering Parish Council was invited to submit CIL compliant schemes that could be provided in full or in part through developer contributions by means of a Section 106 Agreement to be implemented if outline planning permission is granted for A/40/18/OUT. The Parish Council has proposed 6 infrastructure schemes.

- 1). Flood Prevention Scheme. A proposal to build an attenuation system on the Highdown side of the A280. The overall cost was broadly estimated at £1.5m of which Government finance would pay for 50% and the remainder had to be found 'locally'. The Environment Agency and the Lead Local Flood Authority has made a request for a contribution from this outline planning application to a flood prevention scheme and the scheme is considered to be CIL compliant.
- 2). New Primary School: The case for a new primary school has been made and accepted by all parties. The scheme is considered to be CIL compliant.
- 3). Sports Hub at Palmer Road: providing two new pitches to those there currently, changing facilities and car parking. The District Council is progressing work on the delivery of the Sports Hub at Palmer Road with external consultants. The current proposal includes the provision of a new full size 3G pitch and a sports pitch at the Sports Hub, which are considered to be CIL compliant.
- 4). The Angmering Community Land Trust (ACLT) is undertaking its own house-building. The LPA considers that the projects are not identified in the IDP, nor are they required for the delivery of 525 houses on Land North of Water Lane in Angmering, consequently it is not deemed to be CIL compliant.
- 5). Re-developing the Chandlers site to provide village centre parking, public toilets and a new Parish Council Office and Business Hub for people in Angmering that work from home and have no support facilities. This is not deemed to be CIL compliant.
- 6). Reconfigure the highway arrangement in front of some of the shops in the village centre to improve safety and make better use of the available land. The LPA considers that this project is not CIL compliant.

The draft Section 106 complies with Policy INF SP1, Policy INF 2 and Policy H SP2 of the Local Plan by ensuring provision of the required infrastructure. A table setting out all of the draft Section 106 Agreement developer contributions is provided at the back of this committee report.

SUMMARY

It is considered that the principle of development on this site is acceptable in compliance with Policy H SP2 and Policy H SP2c of the Local Plan. The submission of a design code masterplan for endorsement prior to submission of any reserved matters applications should ensure that a high quality scheme can be achieved on the site. The development will make a significant contribution towards market housing and affordable housing in the District, further boosting the sustainability of Angmering and provide additional open space for the local community; and contribute to the delivery of strategic highway improvements to two junctions: the A280 / Water Lane junction; and the A280 / Titnore Lane / A27 roundabout.

Paragraph 11(c) of the NPPF (February 2019) advises that approval of development proposals that accord with an up-to-date development plan without delay is the requirement to comply with Government Policy.

The recommendation is that the Development Control Committee delegate to the Group Head of Planning (in consultation with the Chairman and the Vice Chairman) authority to:

- a. Authorise the execution and completion of the Section 106 Agreement;
- b. Grant planning permission subject to conditions and the S106 Agreement.

HUMAN RIGHTS ACT

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

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

- 1 Details of the appearance, landscaping, layout and scale (hereinafter called 'the reserved matters') shall be submitted to and be approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

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 Application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

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 permitted shall be begun before the expiration of 5 years from the date of this permission, or before the expiration of 2 years from the date of the 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).

- 4 The planning permission relates to the following approved plans:

Drawing Number 1911-P-100 Rev. F - Location Plan

Drawing Number 1911-P-101 Rev. G - Land Use Parameters

Drawing Number 1911-P-102 Rev. G - Building Heights Parameters

Drawing Number ITB9105-GA-102 Rev. G - Site Access to Water Lane and Dappers Lane

Drawing Number ITB9105-GA-117- Proposed Access from Dappers Lane

Drawing Number ITB9105-GA-118 Rev. B - Access Link from Dappers Lane showing bus / cycle / pedestrian access

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

- 5 Prior to the submission of any reserved matters application a design code masterplan shall be submitted to, and approved in writing, by the Local Planning Authority. This document shall demonstrate how the detailed proposals will reflect the objectives of the;

Design and Access Statement (Revised) - October 2018

The design code masterplan will provide further details on matters such as character areas, street hierarchy, building typologies, key buildings, the approach to car parking, structural planting, street furniture, lighting and treatment of the public realm. The development shall be carried out in accordance with the approved design code.

Reason: To enable the Local Planning Authority to control the development in details in the interests of amenity by endeavouring to achieve buildings of visual quality in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the design of the scheme goes to the heart of the planning permission.

- 6 The details referred to in condition 1 shall include details of the materials and external finishes of the buildings, surfaces for roads/footpaths, means of enclosure and the parking of vehicles, and the provision of samples of such materials and finishes as required. Development shall be carried out in accordance with the approved details.

Reason: To enable to the Local Planning Authority to control the development in detail in the interests of amenity in accordance with Policy D DM1 of the Arun Local Plan.

- 7 The landscaping and layout particulars to be submitted in accordance with Condition 1 shall include:

- i. Details of all existing trees and hedgerows on the land, showing which are to be retained and which removed;
- ii. Details of the positions, height, design, materials and type of boundary treatment to be provided, including the planting of advanced nursery stock and semi-mature trees in the landscape buffer along the eastern boundary of the site and in the locations shown as 'proposed planting to screen views from the South Downs National Park' on the Landscape Strategy plan (page 22 of the Design and Access Statement (Revised));
- iii. Details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree;
- iv. The detailed landscape design for the development including the layout and design of the public realm within the development;
- v. Details of the play areas and public open spaces; and
- vi. Details of the surfacing, lighting, and signage of all footpaths, cycle routes and a phasing plan for their provision; and
- vii The screen planting along the southern edges of both residential and employment areas should be a minimum of 6m wide.

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 interests of amenity and of the environment of the development in accordance with Policy D DM1 of the Arun Local Plan.

- 8 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.

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

- 9 Prior to the commencement of development, a noise mitigation scheme shall be submitted for approval to the Local Planning Authority. The noise mitigation scheme shall include details relating to acoustic barriers for properties facing the A27 and Water Lane; and the facade treatment of all houses facing onto the existing light industrial / farm businesses in Dappers Lane and onto the A280, and associated landscaping. The approved noise mitigation shall be implemented in accordance with the details submitted and permanently retained thereafter.

Reason: To avoid unacceptable high levels of noise and in the interests of residential amenity, in accordance with Policy D DM1 and Policy QE DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure the agreed acoustic mitigation measures are implemented prior to the occupation of the development.

- 10 Prior to commencement of development the applicant shall prepare and submit for approval an Employment and Skills Plan for that construction phase. Following approval of the Employment and Skills Plan the developer will implement and promote the objectives of the approved plan.

Reason: In accordance with Policy SKILLS SP1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as it relates to the construction phase of development.

- 11 Prior to the commencement of construction works a Schedule of Works shall be submitted to the Local Planning Authority for approval and will be based on the recommendations within the supporting Preliminary Ecological Appraisal Report. All approved details shall then be implemented in full and in accordance with the agreed timings and details.

The Schedule of Works shall include but not be restricted to:

- Timings for clearance of trees or scrub to avoid impacts on breeding birds;
- Two phased cutting of grassland along site boundaries to deter reptiles and amphibians;
- Grassland areas managed to benefit reptiles;
- Details of compensatory and additional tree planting;
- Details of compensatory boundary habitat planting and wildflower meadow planting;
- Details and locations of bird, bat, dormouse and barn owl boxes, and log piles provided on the site;
- Measures to minimise the disturbance of badgers;
- Boundary features to measure at least 5.0 metre width for the majority of the site to allow for commuting badgers;

- Post development habitat management and dormouse population monitoring will include maintaining hedgerows and planting for the foreseeable future.

Should the detailed layout of the site require the removal of further trees which have the potential to support bats, a climbed tree inspection survey will be required.

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national guidance and Policy ENV DM4, Policy ENV DM5 and Policy ENV SP1 of the Arun Local Plan. It is considered necessary for this to be a pre-construction condition because of the need to ensure measures are in place to protect wildlife and habitats on site prior to any disturbance.

- 12 Prior to the commencement, including any works of demolition, a Construction Management Plan shall be submitted for approval 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,
- Full details of the construction compound,
- Soil resources plan,
- Dust mitigation measures,
- Noise reduction measures,
- 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 effective 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: For the avoidance of doubt and in the interests of amenity, the environment and highway safety, in accordance with Policy D DM1 of the Arun Local Plan.

- 13 The hours of operation for the proposed works, including deliveries to / from the site, to be limited to 08:00 hours and 18:00 hours on Mondays to Fridays inclusive; 08:00 hours and 13:00 hours on Saturdays; not at any time on Sundays or Bank Holidays except without the express authority of the Local Planning Authority.

Reason: In order to safeguard the amenity of neighbouring residents and highway safety, in accordance with Policy D DM1 of the Arun Local Plan.

- 14 No dwelling shall be occupied until refuse and recycling bins have been provided and space has been laid out for their storage in relation to that dwelling in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter these areas shall not be used for any purpose other than the storage of refuse and recycling bins.

Reason: In the interests of the amenity of occupiers of nearby properties in accordance with Policy D DM1 and Policy WM DM1 of the Arun Local Plan.

- 15 Prior to the commencement of any phase of the development, details of the layout and specification of and construction programme for the roads, footpaths, cycleways, parking

areas, emergency access from Dappers Lane, and tracking details for refuse vehicles for that phase shall be submitted to and be approved in writing by the Local Planning Authority after consultation with the County Highway Authority. No dwelling shall be occupied until it is provided with access constructed in accordance with such approved details to the highway network.

Reason: In the interests of road safety and to accord with approved policy in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because of the safety and amenity issues that need to be addressed.

- 16 Prior to the development being first occupied, details of the pedestrian / cycle / bus / emergency access connection between the site and Dappers Lane shall be submitted to and be approved in writing by the Local Planning Authority. Construction of the agreed scheme shall be carried out in accordance with the approved details prior to occupation of the 200th dwelling.

Reason: In the interests of road safety and in accordance with Policy D DM1, Policy T SP1 and Policy T DM1 of the Arun Local Plan.

- 17 No dwelling shall be occupied until space for that dwelling has been laid out for the parking of cars, motorcycles and cycles in relation to that dwelling in accordance with a drawing and schedule to be submitted to and be approved in writing by the Local Planning Authority. These areas shall thereafter not be used for any purpose other than the parking of cars, motorcycles and cycles.

Reason: In the interests of road safety and to accord with approved policy in accordance with Policy D DM1 of the Arun Local Plan.

- 18 Prior to the first occupation of residential development a residential Travel Plan will be submitted for approval (consistent with the Framework Travel Plan, dated 16th March 2018) to identify a strategy for the promotion of sustainable travel measures.

Prior to the first occupation of the commercial space hereby permitted, an Employment Travel Plan will be submitted for approval to identify a strategy for the promotion of sustainable travel measures for the employment uses. The approved Employment Travel Plan will be thereafter implemented and the applicant shall therefore monitor, report and revise the Employment Travel Plan as specified in the approved document.

Reason: To encourage and promote sustainable transport, in accordance with Policy D DM1 and Policy T SP1 of the Arun Local Plan.

- 19 Prior to the development being first occupied, details of the works to improve Footpath 2149 for pedestrian and cycle use between Water Lane and Dappers Lane along with a phasing plan for delivery of the improvement works shall be submitted to and be approved in writing by the Local Planning Authority. Construction of the agreed scheme shall be carried out in accordance with the approved details and programme, with all works completed prior to occupation of the 450th dwelling.

Reason: To ensure that suitable materials are used for the surfacing works and to safeguard users, in accordance with Policy D DM1, Policy T SP1 and Policy T DM1 of the Arun Local Plan.

- 20 Garages provided on the site shall measure a minimum of 6 metres x 3 metres internally.

Reason: To ensure that adequate and satisfactory provision is made for the parking (and garaging) of vehicles clear of all highways in accordance with Policy D DM1 of the Arun Local Plan.

- 21 No phase of the development hereby permitted shall be commenced until a scheme for the location and installation of fire hydrants in that phase has been submitted to and approved in writing by the Local Planning Authority. For the purposes of this condition the scheme shall be in accordance with the Guidance Note: The Provision of Fire Hydrants and an Adequate Water Supply for Fire Fighting as published by West Sussex Fire and Rescue Services (as amended from time to time). No building hereby permitted shall be occupied until the fire hydrant(s) required to serve that building have been installed in accordance with the approved scheme.

Reason: In order to provide adequate infrastructure for emergency services, in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because of the need to ensure the safety of residents on the site.

- 22 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) unless it can be demonstrated that a fabric-first approach would achieve an equivalent energy saving. 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

- 23 Prior to the commencement of 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 shall be carried out in accordance with the approved strategy.

Reason: To safeguard the amenities of residents in accordance with Policy D DM1 and Policy TEL SP1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the provision of broadband needs to be incorporated into the design for the site.

- 24 Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time an ecologist will need to check the site before any works take place (with 24 hours of any work).

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

- 25 No development shall take place 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 in accordance with Policy D DM1 and Policy HER DM6 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because archaeology can only be investigated before construction commences.

- 26 Prior to occupation of any 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 in writing 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.

- 27 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 Policy D DM1 and Policy W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that the surface water disposal scheme is agreed before construction commences.

- 28 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.

- 29 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 details. The agreed scheme shall thereafter be maintained in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with Policy D DM1 and Policy W DM3 of the Arun Local Plan.

- 30 The development shall not proceed 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.

- 31 Prior to the commencement of construction works details of a proposed foul drainage system shall be submitted to and approved in writing by the Local Planning Authority (including details of its siting, design and subsequent management / maintenance) 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 prevent pollution of water bodies and to ensure the satisfactory drainage of the site and to prevent flooding, in accordance with policies GEN7 and GEN9 of the Arun District Local Plan. It is considered necessary for this to be a pre-commencement condition because the site drainage needs to be approved and implemented before the dwellings are occupied.

- 32 Prior to the commencement of development of any phase, details of the proposed external lighting for that phase shall be submitted and approved in writing by the Local Planning Authority. The lighting details should include:

- a) Details of Zone E2 (Rural) lighting luminaires (lux levels);
- b) Mitigation measures to minimise potential glare and spillage;
- c) Location of lighting columns;
- d) Design and appearance of lighting columns;
- e) Timings of lighting (reduced coverage between 11.00pm and 7.00am); and
- f) Phasing for the implementation of the scheme.

The approved lighting system shall be implemented in accordance with approved details and be retained thereafter.

Reason: To reduce light pollution, in the interests of amenity and the environment and to satisfy minimum security requirements, in accordance with Policy D DM1 and Policy QE DM2 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the light levels for the site need to be approved and implemented before the units are occupied.

- 33 Prior to the commencement of development approved by this planning permission, 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:

- A. 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 and potentially unacceptable risks arising from contamination at the site.
- B. A site investigation scheme, based on (A) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- C. The site investigation results and the detailed risk assessment (B) 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.
- D. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (C) are complete and identify 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.

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 D DM1 and Policy QE DM4 of the Arun Local Plan. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences.

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

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Policy D DM1 and Policy QE DM4 of the Arun Local Plan.

- 35 On completion of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the remediated site has been reclaimed in an appropriate standard in accordance with Policy D DM1 and Policy QE DM4 of the Arun Local Plan.

- 36 The employment uses on the Commercial Park should be restricted to Use Class B1. No development within use Classes B2 or B8 (storage and distribution) uses will be permitted on the site.

The industrial buildings on the Commercial Park shall not exceed 12.0 metres in height to the top of the ridgeline.

The amount of employment floor space should be a maximum of 6,000 square metres in total.

Reason: To protect the environment and mitigate the visual impact of the Commercial Park when viewed from the South Downs National Park, in accordance with Policy D DM1 and Policy EMP SP3 of the Arun Local Plan.

- 37 At least ten percent (10%) of all dwellings shall be designed and constructed to m4(2) standard and in addition ten (10) dwellings shall be designed and constructed to m4(3) standard in accordance with 'Access to and use of buildings: Approved Document M'.

Reason: To ensure that dwellings are adaptable and meet the diverse needs of future occupiers in accordance with Policy D DM1 of the Arun Local Plan and Paragraph 61 of the NPPF.

- 38 No development should take place within 5.0 metres of any ordinary watercourse and access for future maintenance must be considered during planning. If works are undertaken within, under, over or up to an Ordinary Watercourse, even if this is temporary, an Ordinary Watercourse Consent (OWC) may need to be applied for from the District Council.

Reason: To ascertain the location of the mains before the detailed site layout is finalised, in accordance with Policy D DM1 of the Arun Local Plan.

- 39 Before the development is commenced, a scheme setting out the detailed designs of the width, alignment and construction of the proposed bus access route through the development, including the provision of bus stops and the design and control of the access to Dappers Lane, shall be submitted to and approved in writing by the local planning authority. The development shall not be carried out other than in accordance with the approved scheme.

Reasons: In the interest of road safety and sustainable development, in accordance with Policy D DM1 of the Arun Local Plan. The condition is pre-commencement as the details required are required to be approved in advance of construction.

- 40 No development shall commence until plans of the site showing details of the existing and proposed ground levels, proposed finished floor levels, levels of any paths, drives, garages and parking areas and the proposed completed height of the development and any retaining walls have been submitted to, and approved in writing by, the Local Planning Authority. The details shall clearly identify the relationship of the proposed ground levels and proposed completed height with adjacent buildings. The development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas, in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

- 41 Prior to the development being commenced, full details of the proposed access works to Water Lane to comprise the delivery of the site access and associated footway / cycleway improvements on Water Lane in general accordance with Drawings ITB9105-GA-101D and ITB9105-GA-102G, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the County Highway Authority. Construction of the agreed scheme shall be carried out in accordance with the approved details prior to occupation of any development served from Water Lane.

Reason: In the interests of road safety and in accordance with Policy D DM1, Policy T SP1 and Policy T DM1 of the Arun Local Plan.

- 42 Prior to the development being first occupied, full details of the proposed access works to Dappers Lane to comprise the delivery of a simple priority junction to serve that part of the site and associated footway provision in general accordance with Drawing ITB9105-GA-117, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the County Highway Authority. Construction of the agreed scheme shall be carried out in accordance with the approved details prior to occupation of any development served from Dappers Lane or prior to completion of the Water Lane pedestrian and cycle improvement works (whichever is the earlier).

Reason: In the interests of road safety and in accordance with Policy D DM1, Policy T SP1 and Policy T DM1 of the Arun Local Plan.

- 43 Prior to the development being first occupied, an Arboricultural Method Statement (AMS) and a Tree Protection Plan shall be submitted for approval in writing by the Local Planning Authority, to both describe and illustrate the mitigation measures which are to be employed to ensure that the trees survive without detriment to their vigour and vitality and are given adequate protection both above and below ground.

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

- 44 INFORMATIVE: The applicant is advised to enter into a legal agreement with 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.

- 45 INFORMATIVE: The current Air Quality and Emissions Mitigation Guidance for Sussex Authorities 2015 is imminently under review. It is anticipated that the developer will wish to comply with this new guidance, together with mitigation measures proposed therein, in order to safeguard the amenity.

- 46 INFORMATIVE: No development should take place within 5 metres of any ordinary watercourse and access of future maintenance must be considered during planning. If works are undertaken within, under, over or up to an Ordinary Watercourse, even if this is temporary, an Ordinary Watercourse Consent (OWC) may need to be applied for from the District Council.

- 47 INFORMATIVE: This grant of outline planning permission does not include Drawing Number 2479 P 103 Rev. H - Illustrative layout plan, prepared by Pro Vision and dated September 2017.

- 48 INFORMATIVE: All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works.

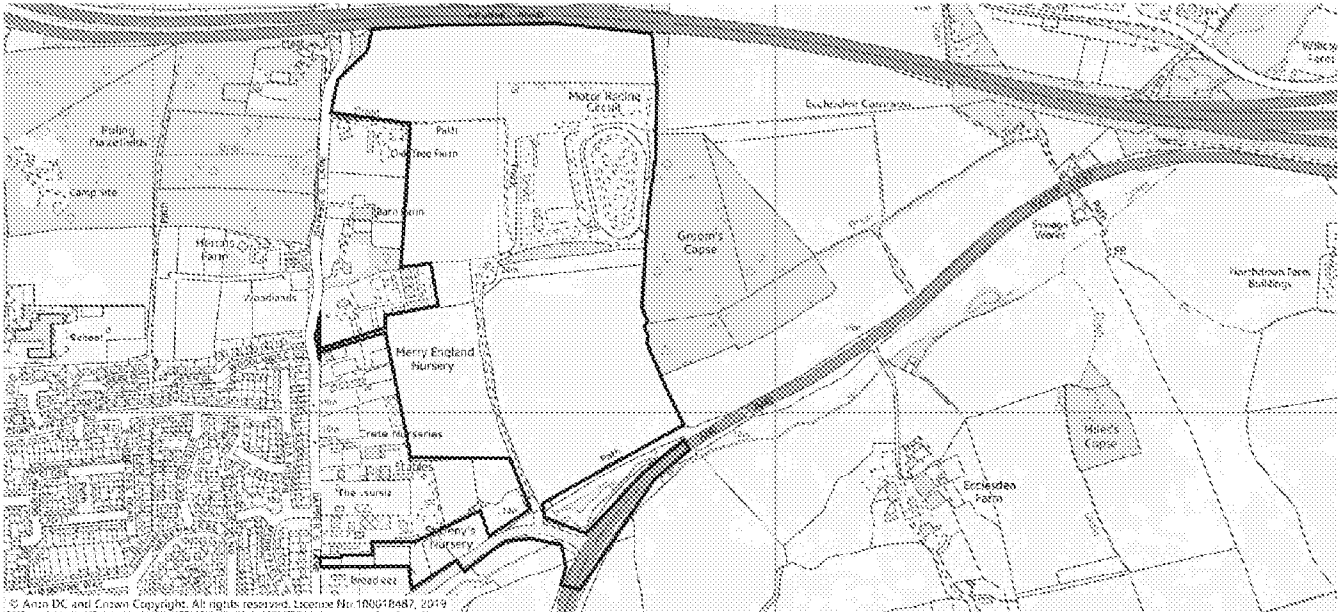
No excavation, mounding or tree planting should be carried out within 5 metres of the public water main.

For further advice, the applicant is advised to contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

- 49 INFORMATIVE: A formal application for connection to the public sewerage system and / or the water supply 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

- 50 INFORMATIVE: Detailed design of the proposed drainage system should take into account the possibility of surcharging within the public sewerage system in order to protect the development from potential flooding.
- 1 INFORMATIVE: The developer must agree with Southern Water, the measures to be undertaken to protect the public water supply main.
- 2 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 3 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.

A/40/18/OUT - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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HEADS OF TERMS

A/40/18/OUT

Financial obligation(s) summary or change	Trigger Point	Amount	Due to (ADC, WSCC, NHS, other)	Destination/ project	Spend by restriction
Education Nursery	To pay 25% of the nursery education contribution prior to the Occupation of the first dwelling. To pay the remaining 75% prior to the occupation of the 50th house.	£748,125	WSCC	Contributions generated by this proposal shall be spent on a new early years' facility serving Angmering, preferably located alongside the new primary school at Mayflower Park and the site immediately north of Mayflower Park (i.e. Bramley Green) or expansion of existing provision to meet new place requirements based on the provision of 525 dwellings.	Ten (10) years of the date of receipt of final instalment of the Contribution
Education Primary	To pay 25% of the primary education contribution prior to the Occupation of the first dwelling. To pay the remaining 75% prior to the occupation of the 50th house.	£2,650,200	WSCC	To be used towards the provision of a new primary school serving Angmering at Mayflower Park and the site immediately north of Mayflower Park (i.e. Bramley Green) based on the provision of 525 dwellings.	Ten (10) years of the date of receipt of final instalment of the Contribution
Education Secondary	To pay 25% of the secondary education contribution prior to the Occupation of the first dwelling. To pay the remaining 75% prior to the occupation of the 50th house.	£33,538 x Additional Child Product = See WSCC response for full text The indicative financial contribution, based on a SHMA compliant scheme would be 72 x £33,538 = £2,414,736. (this will be index linked)	WSCC	Contributions generated by this proposal shall go towards infrastructure associated with Phase 1 of the new secondary school serving Arun.	Ten (10) years of the date of receipt of final instalment of the Contribution
Education	To pay 25% of	DfE figure x	WSCC	Contributions generated by	Ten (10)

Sixth Form	the Sixth Form contribution prior to the Occupation of the first dwelling. To pay the remaining 75% prior to the occupation of the 50th house.	Additional Child Product = See WSCC response for full text		this proposal shall be spent on future expansion at the Angmering School Sixth Form.	years of the date of receipt of final instalment of the Contribution
Libraries	Occupation of first dwelling.	£98,437.50	WSCC	Contribution towards the development and enhancement of existing services at Angmering Library.	Ten (10) years of the date of receipt of final instalment of the Contribution
Fire & Rescue	Occupation of first dwelling.	$Y \times (Z / M) =$ See WSCC response for full text	WSCC	To be used as a contribution towards the re-development of Littlehampton Fire Station	Ten (10) years of the date of receipt of final instalment of the Contribution
Transport	Prior to occupation of 100 th dwelling	Applicant to deliver		Construction of a new roundabout at the A280/Water Lane junction as shown indicatively on Highway Drawing ITB9105 GA108E.	
Transport	Prior to first occupation	Applicant to deliver.		Highway works to A27 / A280 / Titnore Lane as shown on Drawing No. ITB 9105-GA-024B.	
Transport	Prior to 150 th occupation	Applicant to deliver.		Highway works to provide footway on Dappers Lane as shown on Drawing No. ITB 9105-GA-106D.	
Transport	Prior to 150 th occupation	Applicant to deliver.		Provision of dropped kerbs and tactile paving along Merryfield Crescent where they meet other junctions; tactile paving to be provided to cross to Chantryfield Road; provision of tactile paving on Pine Trees Close and Furzefield Close; provision of dropped kerbs on Garden Close as shown on Figure NMU1.	
Transport	Prior to occupation of any dwelling served from Water Lane	Applicant to deliver.		Footway/cycleway works on Water Lane as shown on Drawing No. ITB9105-GA-102G.	

Transport	Prior to 450 th occupation	Applicant to deliver.		Works shown on Figure NMU1 i.e. surfacing of PROW 2149.	
Transport	Prior to 450 th occupation	£120,000	WSCC	A developer contribution towards the A259 corridor improvement scheme.	Ten (10) years of the date of receipt of final instalment of the Contribution
NHS	Occupation of 75th dwelling.	£575,184	ADC	The contribution will generated by this proposal shall be spent on the expansion of existing facilities at The Coppice GP Surgery or where existing site constraints and/or building condition restrict further development the CCG seeks to include these necessary and additional works as part of a new integrated community hub facilities.	Ten (10) years of the date of receipt of final instalment of the Contribution
Policing	Occupation of 225th dwelling.	£7,107.09	Sussex Police	Contribution towards officer start-up equipment cost in the Angmering Neighbourhood Policing Team.	Ten (10) years of the date of receipt of final instalment of the Contribution
Policing	Occupation of 225th dwelling.	£9,009	Sussex Police	Contribution towards officer start-up recruitment and training in the Angmering Neighbourhood Policing Team.	Ten (10) years of the date of receipt of final instalment of the Contribution
Policing	Occupation of 225th dwelling.	£1,773.10	Sussex Police	Contribution towards staff start-up equipment cost at Littlehampton Police Station.	Ten (10) years of the date of receipt of final instalment of the Contribution
Policing	Occupation of 225th dwelling.	£901	Sussex Police	Contribution towards staff start-up recruitment and training at Littlehampton Police Station.	Ten (10) years of the date of receipt of final instalment of the Contribution
Policing	Occupation of	£58,737.07	Sussex	Premises – towards the	Ten (10)

	225th dwelling.		Police	cost of the new NPT (Neighbourhood Patrol Team) office within the re-provided Littlehampton police station	years of the date of receipt of final instalment of the Contribution
Policing	Occupation of 225th dwelling.	£18,007.50	Sussex Police	Contribution towards the vehicle fleet in the Angmering Neighbourhood Policing Team.	Ten (10) years of the date of receipt of final instalment of the Contribution
Green Infrastructure	Trigger points will be provided in a Green Infrastructure Space Specification.	Applicant to deliver	Management Company	Provision of Local Areas of Play (LAPs) and Local Equipped Areas of Play (LEAPs); a Neighbourhood Equipped Area of Play (NEAP) informal open space; pedestrian and cycle links; and SuDS attenuation basins.	
Sports Halls	Occupation of 25th dwelling.	£361,777	ADC	The sports hall contribution will be put towards providing the flexible hall space at a Sports and Community Hub at Palmer Road in Angmering.	Ten (10) years of the date of receipt of final instalment of the Contribution
Swimming Pools	Occupation of 25th dwelling.	£253,882	ADC	Contribution to increase the capacity of swimming pool changing facility including providing village change spaces as part of the new leisure centre to be provided in Littlehampton.	Ten (10) years of the date of receipt of final instalment of the Contribution
Artificial Pitches	Occupation of 50th dwelling.	£34,695	ADC	Contribution towards provision of a new 3G pitch surface and base layer at a new facility at Palmer Road in Angmering, to serve the East of the District.	Ten (10) years of the date of receipt of final instalment of the Contribution
Sports Pitches	Occupation of 50 th dwelling	£143,717	ADC	Contribution towards provision of a sports pitch which is agreed to be provided as an off-site sum to go at a new facility at Palmer Road, to serve the East of the District.	Ten (10) years of the date of receipt of final instalment of the Contribution
Flood Alleviation Measures	Occupation of first dwelling	£54,600	WSCC	Contribution towards the Angmering Flood Risk Management Project to deliver sustainable water	Ten (10) years of the date of receipt of

				management for the Black Ditch catchment through Angmering.	final instalment of the Contribution
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NON-FINANCIAL Obligation Summary	Trigger Point	Due To (ADC, WSCC, Other)	Department/Officer to Confirm Compliance
Affordable Housing: 158 affordable units (30% provision) are proposed: The final mix to be determined at reserved matters stage. 75% as affordable rent (118 units) and 25% intermediate housing (40 units).	Not to occupy or cause to allow to occupy, more than 50% of the market housing units in the development until the affordable housing is provided on the land.	ADC	ADC Housing
Employment Land: Marketing Plan and evidence of marketing Provision of Services	No more than 100 occupations until a Marketing Plan has been submitted and approved in writing for the Employment Land. Not to occupy more than 350 dwellings until it has marketed the Employment Land in accordance with the approved Marketing Plan. The owner covenants to keep records. Prior to the occupation of the 150th housing unit to provide the Services to the Employment Land. Not to cause, allow or permit the occupation of	ADC	ADC - Planning

	the 150 th housing unit until the Services have been provided to the Employment Land, in accordance with a scheme.		
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