

REPORT UPDATE

Application No: Y/92/17/OUT

Reason for the Update / Changes

REPORT UPDATE PREPARED 22.01.2019

Reason for Update/Changes:

1. The Proposal is identified as being a 'departure from the development plan' within the recommendation report. It should be noted that the site is a strategic allocation within the Arun Local Plan 2011 - 2031 and as such the application is not a departure from the development plan.

2. Under the 'Trees' section of the report the provisional TPO is identified as having been made under reference TPO/Y/3/18, this should read TPO/Y/4/18.

3. A number of conditions have been amended and these are set out in full on the amended recommendation sheet. For ease of references the below is a summary of the amendments made to the originally proposed conditions;

- Condition 6 - This condition has been amended to make the materials requirements less onerous and proportional to the development proposed.
- Condition 7 - Reference to lighting has been removed from this condition as this detail is already secured via Condition 16.
- Condition 8 - has been removed as this detail will be secured and conditions at Reserved Matters stage.

· Condition 10 - Wording of Condition 10 amended to read;

"Prior to the approval of any reserved matter full details of the proposed surface water drainage scheme shall be submitted to and approved in writing by the local planning authority, and shall include;

- Winter groundwater monitoring to established highest annual ground water levels and percolation testing to BRE 365, or similar approved, will be required to support the design of any infiltration drainage.
- Details of any discharge of any flows to watercourses, the culverting or diversion, infilling or obstruction of any watercourses on the site.
- Arrangements for future access and maintenance of any watercourse or culvert (piped watercourse) crossing or abutting the site.

No building shall be occupied in any phase until the complete surface water drainage system serving it has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity."

- Condition 11 - Condition amended to make this condition pre-occupation rather than prior to determination of the Reserved Matters application.
- Condition 12 - Amended to be phased as well as pre-occupation.
- Condition 13 - Amended to include the words 'relating to that dwelling'.
- Condition 14 - Amended to be phased.
- Condition 16 - Addition of the words 'for that phase'.
- Condition 17 - Amended to be phased.
- Condition 20 - Amended to be phased.
- Condition 23 - Amended to be phased.
- Condition 24 - Amended to be phased.
- Condition 26 - Amended to be phased.
- Condition 28 - Amended to be phased.

- An additional informative was included in relation to the need for formal consent from the Lead Local Flood Authority (WSSCC) or its agent (ADC) being required.
- Condition 29 - This condition related to potential 'Japanese Knotweed' from a letter of objection submitted. However, it has been identified that this referred to a different site and as such the condition has been removed.
- Condition 30 - Has been removed after discussion with the Council's Environmental Health team following the submission of additional documentation from the applicant.
- Condition 32 - Has been removed after discussion with the Council's Environmental Health team following the submission of additional documentation from the applicant.

4. 1 additional letter of objection received;

- Condition 19 is inadequate to protect the peace and quiet of the residents of Yapton nearby.
- Hours should be amended to reflect approvals at Nyton Nurseries.

5. The recommendation has been amended to read;

RECOMMENDATION

- That planning permission is granted with Conditions and Informatives (as shown on the attached amended recommendation) subject to the completion of the S106 agreement; and that
- That authority is delegated to the Group Head of Planning in consultation with the Chairman and Vice-Chairman of the Development Control Committee to make amendments to the S106 agreement which are substantially in accordance with the heads of terms.

6. The applicant has provided additional documentation relating to contamination and this has been considered by the Council's Environmental Health team who have advised that they "...have reviewed the documentation sent by the applicant and are satisfied that conditions ENV3 and 6 can be removed."

7. The word 'association' has been replaced by the word 'consultation' in paragraph 3 of the Summary section on Page 224 of the agenda.

8. Under the 'Affordable Housing' heading within the Heads of Terms this should refer to 300 dwellings for which 30% provision would equate to 90 affordable units. The following trigger has also been identified by the Council's Housing Strategy and Enabling Manager as an appropriate trigger;

"the Affordable Housing Units must be completed no later than the date on which the last of the Market Housing Units is completed in each phase."

Officers Comment:

1. No additional comments.
2. No additional comments.
3. No additional comments.
4. The construction hours for the proposed development have been checked with the Council's Environmental Health team who have confirmed that "...those are the construction times that we would normally put on. 8.00am on Saturdays is fine from EH point of view.". Therefore, it is considered that there is no justification to amend the wording of Condition 19.
5. No additional comments.
6. No additional comments.
7. No additional comments.

Note: The changes to recommendation, conditions and/or reasons show under Officers

Recommendation at the end of the attached report.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

Recommendation Report for Outline Consent

REF NO: Y/92/17/OUT

LOCATION: Land east of Drove Lane
Yapton
BN18 0EB

PROPOSAL: Outline application with all matters reserved save access, for up to 300 dwellings, link road, surface drainage, open space and landscaping. Departure from the Development Plan and Access route is within the Yapton (Main Road) Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks outline permission for the construction of 300 dwellings on land to the south of Drove Lane with all matters reserved except for access.
SITE AREA	Approximately 13.1 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	Approximately 23 dwellings per hectare (dph) gross density and 35dph net density.
TOPOGRAPHY	Predominantly flat but the site is slightly raised above the level of Main Road and Drove Lane by approximately 1m.
TREES	A provisional TPO has been placed upon a number of trees on site under reference TPO/Y/3/18.
BOUNDARY TREATMENT	The northern most field constituting the application site is situated immediately adjacent to Main Road and features railings along the northern and western boundary with Drove Lane. The southern most boundary of the site features hedgerow which separates the field from the main arable field. The arable field features open boundaries to the west and south with hedgerows situated along the eastern boundary of the site.
SITE CHARACTERISTICS	The site comprises a large arable field and a small pastoral field adjacent to the settlement boundary. The pastoral field which is situated adjacent to Yapton Road falls within a Conservation Area and is crossed by the remnants of the Portsmouth and Arundel Canal. The application site forms part of the strategic allocation SD7 within the Arun Local Plan
CHARACTER OF LOCALITY	The character of the locality is predominantly rural with the application site situated within the built up area boundary with existing residential development present along the northern and eastern boundaries of the site. Agricultural fields are

situated to the south, east and west of the application site. The Yapton conservation area is situated to the north-east.

Pre-application discussions took place in relation to this strategic allocation at the end of 2017 with a formal response provided by the LPA on the 19th December 2017. The pre-application response identified that the principle of development at the site is acceptable, so long as the school site requirement can be met elsewhere within the village and it is satisfactorily demonstrated that a master-planned and collaborative approach has been followed. It was also advised that a series of advisory groups had been arranged and this process should be followed prior to the submission of any application.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Yapton Parish Council

Yapton Parish Council

SUPPORT

- Question the timing of the application, believing that it should be lead via the emerging ADCLP process opposed to pre-empting it.
- Are of the view that the current application will have impacts upon its existing community and believe that unless these are fully addressed this planning application cannot be successfully implemented.
- This proposal must have an overarching public benefit for the whole of YPC and not solely for the new combined development. YPC will only support this proposal if such mitigating elements can be properly overcome with adequate solutions put in place by way of Planning Obligations as well as Planning Conditions.

Masterplan

- Are deeply concerned that without adequate planning conditions and planning obligations the whole strategic housing site SD7 may become fragmented and disunited if not treated as one binding scheme. YPC therefore seek that both this application and the adjoining one, Y/92/17/OUT, are considered as one comprehensive scheme ensuring that the full impact of the overall 550 new homes on YPC is not underestimated through unintended consequences.
- Note the positive use of greenspace and landscaping throughout the two schemes but are concerned that a high proportion of the open space/landscaping is in fact SUDs features or swales providing limited multi use open space in lieu of the lost agricultural footpaths and landscape. YPC would insist that additional usable amenity space is provided to ensure the well-being of the new community and reflect the existing village's use of green space within housing areas adjoining open farm land.
- The masterplan notes the need for public facilities but provides none in terms of buildings. The school is planned to be off site which is YPC's preference but there is no provision for a small community building to support the 550 homes.

Density

- Welcome the suggested massing and density of the built-up areas especially the inclusion of bungalows. YPC are pleased that the rural nature of the village will be reflected throughout the scheme in terms of design, greenspace and type of dwelling.
- Are concerned that the use of landmark building may inadvertently create an urban environment opposed to extending a rural village. YPC seek that landmark buildings are created through good use of materials and landscaping rather than as suggested, through height as this would be incongruous with the existing built environment in Yapton.
- Believe that the streetscape and massing of the proposed housing must appear more random and less

regimented reflecting again a less urban feel to the new development.

Housing Mix

- Would ask that the housing mix recognises the need for its community to encourage the recycling of family homes within the Parish by encouraging 'downsizing'.

Landscaping

- Are concerned that much of the landscaping is swales which provide little usable benefit to the public.
- Would also question the need for further allotment space.

Traffic

- Occupation of the site must be linked to the opening of this link road which is key to the success of the overall housing site and mitigating the impact of the scheme on the existing community.
- Requests that to ensure safe and free movement from the site to existing facilities a pelican crossing is put in place along Bilsham Road.

Cycleways

- Have been seeking a fully dedicated and safe cycleway linking the village to Barnham and its rail station.

Education

- Strongly urge that all efforts are made to ensure that Yapton's Primary Education need is fully accommodated and made future proof to accommodate the village's growth from this and its sister site (Y/91/17/OUT).
- Yapton Primary School is oversubscribed and sufficient sustainable long term spaces must be accommodated within the village.
- Reference to a dependency on new facilities emerging from the SD8 Strategic Allocation is totally unacceptable due to significantly differing implementation timescales for the two schemes.

Doctors Surgery

- It is imperative that Yapton has sufficient medical provision within the village and YPC would look to both applicants to suggest a co-ordinated solution.

Existing community facilities

- Have concerns that unless adequate supporting facilities are incorporated within the new proposal such as supporting play areas, community buildings, significant additional strain will be placed on the Parish's existing Community Hall, playing field and play area.

114 letters of objection received;

Sustainability

- Development is unsustainable.
- The site backs onto three listed buildings
- The site is a conservation area
- The site is contaminated with pesticides
- Insufficient archaeological investigation has been carried out
- Not enough employment opportunities in Yapton
- Crime rate (vandalism, drug-use, intimidation and theft) will significantly increase

Agricultural land

- Development will result in a loss of high grade agricultural land
- Land should be retained for agricultural purposes

- Farmland is required for food production

Design and visual amenity

- Development will adversely impact upon existing character of the locality
- Development will result in loss of gap between Yapton and Barnham
- Not enough consultation with locals

Residential Amenity

- Increase in dust
- Detrimental impact on the surrounding neighbours (noise, disturbance, overlooking, loss of privacy & overshadowing)

Surface water and drainage

- Village is vulnerable to flooding
- Not enough sewage piping to cope with demand

Highways & Travel

- Roads are heavily trafficked and congested.
- Roads are overloaded in peak hours
- Development will result in an increase of HGV movements
- Comet Corner is dangerous
- Only 2 bus services
- Not enough room on the small country lanes for emergency vehicles
- No highway provision for horse riders
- There is no train station
- No specific bridleway for horses to travel (with riders)
- No cycle links for Yapton (or development)

Infrastructure

- School is currently oversubscribed
- Doctors' surgery is not able to accommodate existing demand
- Policing will be hard with increased crime rate
- Not enough shops
- Dentists are oversubscribed
- Reduced water pressure
- The scout hut will not be able to handle the pressure
- Skate park would be too packed
- There is not enough gas
- No upgrades to the village hall have been proposed

Biodiversity and Ecology

- Development will result in killing of bats
- Slowworms live in the field, any ground-breaking work will lead to their extinction
- Loss of Herons, Great Spotted Woodpeckers, Green Woodpeckers and Sparrow Hawks because they lose their habitat
- Hedges must be retained
- Not enough bees
- Reduction in air quality

Non-material

- Loss of views
- Only 11 families need homes in Yapton

- When we leave the EU we will need to grow crops
- No demand for houses
- 4 pubs in Yapton have closed since 1988

- 1 letter of Support;
- Very much needed

COMMENTS ON REPRESENTATIONS RECEIVED:

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

CONSULTATIONS

WSCC Strategic Planning
Surface Water Drainage Team
Highways England
Southern Water Planning
Environment Agency
Natural England
Environmental Health
Sussex Police-Community Safety
Network Rail
Sport England South East
Ecology Advisor
Archaeology Advisor
NHS Coastal West Sussex CCG
NHS Coastal West Sussex CCG
Mr Clavell-Bate
Planning and Housing Strategy
Estates Manager
Parks and Landscapes
Arboriculturist
Historic England
Engineering Services Manager
Engineers (Drainage)
Engineers (Coastal Protection)
Building Control
Engineers (structural)
Conservation Officer
Engineers (Drainage)
Sussex Police-Community Safety
Highways England
Environmental Health

Environment Agency
Conservation Officer
WSSC Strategic Planning
Historic England
WSSC Strategic Planning
WSSC Strategic Planning
Engineers (Drainage)

CONSULTATION RESPONSES RECEIVED:

ENGINEERS (DRAINAGE)

Comments received 2nd January 2018:

Please apply standard conditions ENGD2B, ENGD3A, ENGD4A, ENGD5A and ENGD6A.

Comments received 2nd January 2019:

- The applicant is conducting winter groundwater monitoring and infiltration test results at previously agreed locations. Based on these results the potential utilisation of infiltration will be further reviewed and the detailed design of the surface water drainage scheme will be progressed. The latest drainage documents identify the aim to use permeable paving on roads/ parking areas which are not to be adopted, along with the use of shallow soakaways in back gardens and infiltrating ponds. If a discharge to ordinary watercourse is required this will be restricted to QBar of the pre-developed site.

- Happy that the outline drainage strategy complies with the hierarchy for sustainable drainage and that sufficient treatment of surface water will be provided. I have attached our surface water drainage checklist which explains the level of detail required in a submission to discharge the surface water drainage conditions.

HOUSING STRATEGY AND ENABLING MANAGER

Comments received 3rd January 2018:

In terms of the provision of affordable housing there is no objection in principle.

ARCHAEOLOGY ADVISOR COMMENTS

Comments received 8th January 2018:

I agree that the archaeological potential of this site needs to be investigated further in order to identify deposits of interest that might be present and to implement appropriate measures for their preservation. This process would be most appropriately secured through the implementation of a version of standards planning condition ARC1.

HIGHWAYS ENGLAND

Comments received 8th January 2018:

Our initial substantive response is that the Transport Assessment provided needs to demonstrate that the development will not result in a severe impact on the A27/Yapton Lane junction (which should consider safety as well as capacity in accordance with the tests set out in DfT C2/13 para 10 and DCLG NPPF para 32), or recommend appropriate mitigations to achieve nil detriment in this regard. As such, Highways England's advice is to recommend that the application should not be determined until such time as the required information is provided and Highways England given the opportunity to consider and make its final substantive response.

Comments received 1st March 2018:

- Recommend that conditions should be attached to any planning permission that may be granted;

Proposed condition - No more than 199 dwellings may be occupied within the development hereby

permitted until such time as the improvement works at the A27 / Yapton Lane junction as shown on i-Transport's drawing number 'ITB11324-GA-014 Revision C - Proposed extension to A27 Yapton Lane right turn' dated 30/08/17 (or such other scheme of works substantially to the same effect, as may be approved in writing by the LPA (who shall consult Highways England)), has been completed and opened to traffic.

ECOLOGY

Comments received 8th January 2018:

- Reptile survey has shown that there is a small population of reptile's onsite. Mitigation has been proposed in the Detailed Reptile Survey Report (Nov 2016) and we're happy that the proposed mitigation is suitable and this can be conditioned.
- Bats - A buffer strip around existing hedgerows of 5m and during construction fencing should be used to ensure that this area is undisturbed. Any gaps should also be filled in using native species to improve connectivity. Where any hedge is to be removed as detailed within the survey, new hedgerow should be planted and this should be secured via condition.
- The boundary to the south of the site has been identified as a key bat commuting route and this area must remain unlit to ensure a dark corridor is created. Details of this are contained within the Ecological Enhancement Management Plan (Nov 2017).
- 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 bat using the trees, hedgerows and buildings.
- Nesting birds - Any works to trees or vegetation clearance should only be undertaken outside of the bird breeding season.
- Due to the scale of the site we require extensive enhancements for biodiversity to be incorporated into the design. The Habitat and Ecological Enhancement Management Plan (Nov 2017) has considered this and incorporated enhancements within the design. This should be secured via condition.

WSCC FLOOD MANAGEMENT

Comments received 11th January 2018:

- The majority of the site is low risk from surface water flooding, while a section of Drive Lane is shown to be at higher risk. Any existing surface water flow paths across the site must be maintained.
- The area of the proposed development is shown to be at moderate/high risk from groundwater flooding based on current mapping. This risk is based on modelled data only and should not be taken as meaning that the site will/will not suffer groundwater flooding.
- We do not have any records of historic flooding within the confines of the proposed 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.

WSCC STRATEGIC PLANNING (HIGHWAYS)

Comments received 12th January 2018:

An objection is raised to the proposals as:

- Insufficient information has been provided to enable an assessment of the ability of the highway network to accommodate the development without adding to the hazards of highway users to an unacceptable degree.
- The proposal would not achieve safe and convenient access by a choice of means of travel nor encourage and enable an increase in environmentally sustainable means of travel such as walking, cycling and public transport and thereby minimise the impact of car journeys.
- Additional information should be provided.

Comments received 18th May 2018:

An objection is raised to the proposals due to a failure to mitigate the likely transport impact of the development and contribute towards the strategic transport infrastructure. I am confident however that

this issue could be addressed following further discussions with the applicant and them agreeing to an appropriate level of contribution.

Comments received 17th December 2018:

No objection is raised to the proposed development, subject to appropriate conditions and obligations.

SUSSEX POLICE

Comments received 16th January 2018:

As application is outline broad comments are provided in relation to crime prevention. More detailed comments will be provided at reserved matters stage.

HISTORIC ENGLAND

Comments received 17th January 2018:

The development site includes part of the conservation area which is proposed to be used for a new emergency access road. Otherwise impacts are primarily on the setting of 5 Grade II listed buildings. We are not consultees for the setting of Grade II buildings so our remit is therefore limited. The long standing agricultural character of the site forms part of the setting to the CA and the listed buildings and makes a contribution to their significance.

Comments received 4th September 2018:

- A resident of Yapton has drawn to our attention her assessment of the historical significance of Drove Lane which she considers to be part of a very ancient drove route between Felpham and the Weald.
- We agree that ancient track routes and track-ways can have historical significance and that it might be appropriate to protect some of these for their character and place in the landscape and the physical archaeological record that they may preserve.
- The track-way is not a designated heritage asset and nor do we think that it is of proven equivalent significance to such a designated asset. We nevertheless acknowledge it has some heritage significance and the likely impact the development could have upon this. We therefore note that, in accordance with the NPPF its significance should be described as part of the planning application.
- Unless the track-way were to be judged to be of a significance equivalent to a scheduled monument then NPPF para. 197 is most applicable along with paragraph 199 for mitigation of any harm by the recording of significance.

SPORT ENGLAND

Comments received 22nd January 2018:

- Note that the planning application states that infrastructure needs arising from the new development will be largely met by site specific s106 agreement. Have not been made aware of any contribution for sporting infrastructure, nor do I note any formal sport provision on site.
- In light of the above, Sport England is unable to support this application.
- Please advise us of the outcome of the application by forwarding a copy of the decision notice.

CONSERVATION OFFICER

Comments received 30th January 2018:

From a heritage perspective, there are objection to the proposal in general terms, relating to the relationship of the proposal site to the Listed Buildings, historic landscape and Conservation Area. It should be noted that the enjoyment of a historic asset includes matters of setting relating to noise, light egress and the effect of traffic movement.

Comments received 18th May 2018:

- The proposal has the potential to affect three heritage asset types: Listed Buildings, Conservation Area and the route of the Arun-Wey canal. As a result development needs to take into account the impact that it will have on them. Whilst only a small area of the site is located within the conservation area,

development has the potential to affect its setting.

- Note that a heritage statement has been provided as part of the application, and that the concept of development is under consideration due to the nature of the outline application. The heritage statement provides more information related to the impact upon the setting of the listed buildings. Having read the document, it is considered that there is not much information related to the other two assets, and this should be provided for a full response to be provided here.
- It is questioned if there will be sufficient screening etc. to mitigate any impacts? It is not clear from the Heritage statement if this is the case.
- It is not clear if full consideration has been given to the impact of development via the new access and emergency access road. How will a new road and access road, along with the associated infrastructure affect the character of the area, where there currently is one small lane, with a limited number of street lights? Also how will the roads impact the route of the canal?
- It is considered that further information is required in order to answer these questions, and for a full response to be provided.

NATURAL ENGLAND

Comments received 31st January 2018:

Natural England has no comments to make on this application.

SUSSEX POLICE (COMMERCIAL PLANNING)

Comments received 6th February 2018:

Financial contributions towards policing requested and set out in the heads of terms.

NHS CCG

Comments received 10th March 2018:

Financial contribution of £329,019 requested towards The Croft Practice for the infrastructure needs of managing treatment room capacity/the strategic hub.

COUNCILS TREE OFFICER

Comments received 12th February 2018:

- At outline stage, the indicative layout and access arrangements and the appointed arboriculturalist's general regard for the significant trees existing on site are encouraging. I would like to see the arboricultural survey which they recommend is read in conjunction with the AIA, so I can be confident of having reviewed their entire package of initial tree survey information.
- Please to see there is intent to retain all recorded trees for development, but I cannot be satisfied that this will be achievable until we receive a tree protection plan overlaying the final proposed site design layout, with supporting AMS where RPA incursion is anticipated - which I would expect to see submitted with a subsequent full planning application.
- There are significant landscape trees growing within the hedgerow that runs parallel along the eastern boundary of the site. They will also have an impact on the proposed development further to the east (Y/91/17/OUT) and so take on more importance in the wider context of development locally. We should expect them to come under the usual 'pressure to prune' if development proceed. They are in possession of largely un-modified natural crown profiles and either are or could become trees of notable stature - which can be easily accommodated and respected with a sensible design.
- Recommend making individual TPOs within the eastern boundary hedge line.

ENVIRONMENTAL HEALTH (CONTAMINATED LAND)

Comments received 5th March 2018:

There is the former infilled Chichester Canal in close proximity to the site. Therefore, please apply ENV 3, 5 and 6.

GREENSPACE

Comments received 5th March 2018:

- A high proportion of the indicated Open Space areas are detailed as SUDs features. These raise concern as not therefore providing usable Public Open Space (POS) in these areas therefore diminishing the POS offer which would appear to be provided within the site. Confirmation and cross section of these SUDs areas should be provided along with the anticipated timescale that these would be water holding bodies.
- Allotment allocation whilst good to see and deficit within the district is not usable by all and should not be incorporated at the detriment of general POS, where a need is found to be greater.
- Siting of the LEAP and LAPs and associated facilities needs to be shown in detail.
- Buffer areas and wildlife habitat zones along with tree protection details for those trees to be retained to be provided.
- Indication of future management proposals to be provided.

ENVIRONMENT AGENCY

Comments received 5th March 2018:

In line with the external consultation checklist we will not provide any response to applications that fall outside of the checklist and this application falls outside of it.

SOUTHERN WATER

Comments received 23rd March 2018:

- A desk based study indicates that with connection at the "practical point of connection" as defined in the New Connections Services implemented from 1st April 2018 there is an increased risk of flooding unless network enhancement is undertaken.
- This enhancement will be provided through the new infrastructure charge. However, Southern Water will need to work with and understand the development program and to review if the delivery of the network enhancement aligns with the occupation of the development.
- Condition requested requiring occupation to be phased to align with the delivery of sewage infrastructure to prevent the increased risk of flooding.
- Initial investigation indicates that Southern Water can provide surface water sewerage disposal to serve the proposed development at manhole reference SU97026760 for the requested flow rate of 45.4l/s.

ENVIRONMENTAL HEALTH

Comments received 2nd March 2018:

- No objection - however, no air quality assessment has been submitted.
- Environmental health now has a requirement that each home should have an electric vehicle charging point.
- Please put standard CEMP condition on any permission given for these applications.

WSCC S106

Comments received 16th January 2018

- No spare capacity for primary/ secondary/ further education
- Require land for 1 form entry primary school (expandable to 2FE) and adjoining nursery facilities plus financial contribution.
- Secondary contributions towards phase 2 of new secondary school or expansion of St Philip Howard Catholic High School
- Sixth form contributions to phase 2 of new sixth form or expansion of St Philip Howard Catholic High School
- Library contribution towards an approved scheme for Tier 7 library facility for six villages. Community space on site to accommodate a Tier 7 library facility in accordance plus financial contributions towards the new facility or a contribution towards the expansion of facilities at Littlehampton Library should the new Tier 7 facility not proceed.
- Fire and Rescue Service Contribution to be used towards the redevelopment of Littlehampton Fire

Station

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Strategic Allocation SD7

DEVELOPMENT PLAN POLICES

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

HERDM1	HER DM1 Listed Buildings
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HERDM3	HER DM3 Conservation Areas
HERDM4	HER DM4 Areas of Special Character
HERDM5	HER DM5 Remnants of the Portsmouth and Arundel Canal
HERDM6	HER DM6 Sites of Archaeological Interest
HERSP1	HER SP1 The Historic Environment
HSP1	HSP1 Housing allocation the housing requirement
HSP2	H SP2 Strategic Site Allocations
HSP2C	H SP2c Inland Arun
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
OSRSP1	OSR SP1 Allotments
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QEDM3	QE DM3 Air Pollution
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP1A	SD SP1a Strategic Approach
SDSP2	SD SP2 Built-up Area Boundary
SKILLSSP1	SKILLS SP1 Employment and Skills
1	
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
WDM2	W DM2 Flood Risk

WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management
WSP1	W SP1 Water

Yapton neighbourhood plan 2014 Policy BB1	Built-up Area Boundary
Yapton neighbourhood plan 2014 Policy BE2	High speed broadband
Yapton neighbourhood plan 2014 Policy E1	Protection of high value agricultural land
Yapton neighbourhood plan 2014 Policy E11	Minimising the impact of flooding from development
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 E8	Conservation Areas
Yapton neighbourhood plan 2014 Policy E9	Listed Buildings and Buildings or Structures of Character
Yapton neighbourhood plan 2014 Policy H1	Housing requirement
Yapton neighbourhood plan 2014 Policy H2	Dwelling size
Yapton neighbourhood plan 2014 Policy H3	Dwellings appropriate for the needs of older people
Yapton neighbourhood plan 2014 Policy PK1	Parking standards for new residential development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD1	Open Space & Recreation Standards
SPD2	Conservation Areas

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 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.

The Yapton Neighbourhood Plan has been made and as such 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 it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area. The proposal is also located in a strategic allocation within the built-up area boundary.

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 application site is located within the Parish of Yapton and as such the development plan in the determination of this application will comprise of the Arun Local Plan (2011-2031) and the Yapton Neighbourhood Plan (YNP) 2014.

Arun Local Plan (2011-2031)

The key policy considerations in the determination of this application are considered to be;

Policy H SP1 - which establishes the housing requirement within the plan period (2011-2031) of at least 20,000 new homes within the Arun District. This includes SD7 Yapton which identifies the provision of at least 500 dwellings.

Policy H SP1 - Housing Allocation sets out the overall provision of 20,000 new homes through the Local Plan phased over the plan period to 2031. It also includes reference to additional allocations for small sites being made across the District.

Policy H SP2 - Strategic Site Allocations - states that development proposals within the Strategic Site Allocations must be comprehensively planned and should have regard to a masterplan endorsed by the Council. The comprehensive development of the allocation will need to meet the following key requirements;

- a. Integrate appropriately with surrounding communities through an appropriate design particularly where they adjoin by providing for public realm improvements, shared community uses, and connectivity of transport modes including walking, cycling and public transport.
- b. Ensure a clear and harmonious relationship between town and country including clearly defined boundaries, using physical features that are readily recognisable and likely to be permanent.
- c. Protects, conserves or enhances the natural environment, landscapes and biodiversity.
- d. Incorporate high quality, well connected green spaces, planting within main streets and biodiversity rich open spaces.
- e. Extend, enhance and reinforce strategic green infrastructure and publically accessible open space.
- f. New community hubs where required to be provided, shall be well located taking account of the

permeable layout to all transport modes and shall as far as possible cluster retail, commercial and community uses.

g. Where existing village centres are within or will serve the needs of strategic development sites their improvement as sustainable centres will be required.

h. Where community buildings are provided these shall be designed and provide for a range of uses such as healthcare, police, faith and community groups.

i. Integration of community hubs and local centres of an appropriate form and scale into the design and layout of development proposals where identified in the specific allocations policies in H SP2 a-c.

j. Ensure walkable access to local community, recreational and shopping facilities, jobs and accessible transport.

k. Address the off-site capacity requirements, that related to that particular allocation, identified in the Arun Transport Assessment (2016 and update 2017 and taking into account subsequent relevant assessments) and the local highway network.

l. Positively respond to sustainable water management taking particular account of the coastal plain topography which may require strategic surface water solutions.

m. Maintain and enhance any important features, characteristics and assets of the local area.

n. Provide for the required infrastructure, which relate to that particular allocation, in accordance with Policy INF SP1 and the Infrastructure Delivery Plan.

o. Enable strategic District wide infrastructure to be delivered at strategic sites if the location is appropriate for the District.

p. Consider inclusion of an area of the sites for self-build and custom build.

q. Consider the delivery of an area as a site for Gypsy and Traveller accommodation.

Policy H SP2c - includes the allocation of at least 500 dwellings in Yapton over the plan period. This allocation is identified as SD7 and requires development proposals to meet the following key design and infrastructure requirements;

(a) provide a contribution towards new nursery and primary places, education facilities or the improvement or expansion of the relevant existing facilities;

(b) contributions towards the equivalent of Tier 7 library facilities or the improvement or expansion of the relevant existing facility;

(c) improvements to the A259 between Climping and Littlehampton; and

(d) contributions towards new healthcare facilities which will be incorporated at Ford (SD8) or the expansion of the relevant existing facilities.

Policy SD SP2 - Built up area boundary - states that outside the BUAB apart from Strategic, Site Specific and Broad Allocations, development will not be permitted unless consistent with other plan policies.

Policy C SP1 - Countryside - states that outside the BUAB as well as outside both the strategic, site specific and broad allocations, the countryside will be safeguarded for its own sake. Development will be permitted in the countryside 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.

Yapton Neighbourhood Plan (2014):

The YNP was made on the 5th November 2014 and as such forms part of the development plan in the

determination of this application.

Policy E1 of the YNP seeks to protect high value agricultural land. It identifies that planning permission for development on grade 1 and grade 2 agricultural land will be refused unless certain circumstances apply. These circumstances are where the site is a housing allocation under policies SA1 and SA2 or it involves additional housing sites required by policy H1 to meet the objectively assessed need in the neighbourhood plan area. Therefore, the proposed development conflicts with policy E1 of the YNP as it does not meet either of the exceptions specific within the policy.

Policy BB1 of the YNP seeks to focus development within the BUAB defined in the plan, development outside of the BUAB will not be permitted unless certain circumstances apply. However, the YNP was prepared prior to the adoption of the Arun Local Plan (2011-2031). Whilst, the application site is situated within the BUAB as defined by the Arun Local Plan and as such accords with policy SD SP2 the proposed development is nevertheless in conflict with policy BB1 of the YNP.

Therefore, in order to address the conflict between the strategic allocation of the site under policy H SP2c of the Arun Local Plan with policies BB1 and E1 of the YNP it is necessary to apply the test from Section 38(5) of the Compulsory Purchase Act (2004) which 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".

Therefore, the BUAB policy (SD SP2) and strategic allocation of the site under policy H SP2c of the Arun Local Plan must be considered in favour of policy BB1 and E1 of the YNP.

The principle of residential development at the site is established by virtue of the sites allocation under policy H SP2c and as such the proposed development accords with policy SD SP2 and C SP1 of the Arun Local Plan. However, it will be necessary, within the conclusion to this report, to assess the proposal against the requirement of policy H SP2 and H SP2c and other relevant policies contained within the ALP as part of the assessment of the proposed development.

It is considered that H SP2 (f), (h), (i) and (o) are not considered to be relevant to the determination of this application given the policy requirements of H SP2c (SD7). It should also be noted that no desire has been expressed by the applicants to incorporate self-build or custom build dwellings at the site and no evidence has been submitted in support of the application detailing any considered of the incorporation of an area of Gypsy and Traveller accommodation. However, policy H SP2 only requires consideration and does not require inclusion and as such the proposal is not considered to conflict with policy H SP2 (p) and (q) of the Arun Local Plan.

The proposed development is deemed to accord with policies H SP1, H SP2 and H SP2c of the Arun Local Plan and as such the principle of development is acceptable. The proposals compliance with these policies will be considered throughout the conclusion to this report.

ILLUSTRATIVE LAYOUT AND DESIGN

Policy H SP2 of the ALP requires that Strategic Site Allocations must be comprehensively planned and should have regard to a masterplan endorsed by the Council for the respective areas incorporating high quality imaginative design giving a strong sense of place and a permeable layout. It also requires strategic allocations to (amongst other matters) integrate with the surrounding communities, provide well connected green spaces, provide improvements to existing village centres, infrastructure and the delivery of necessary infrastructure.

This application in conjunction with Y/91/17/OUT forms strategic allocation SD7 under policy H SP2c of the Arun Local Plan. The proposed developments (Y/91/17/OUT & Y/92/17/OUT) are deemed to have been comprehensively planned by virtue of the approach which has been adopted and the documentation which has been submitted in support of the planning application. Both applications have been designed in tandem with the overarching approach and principles of development being reflected in the design and access statements which support the applications. This joined up approach in the design of the scheme is also reflected in the approach to infrastructure provision and mitigation.

Policy H SP2 also identifies that the development 'should' have regard to a masterplan endorsed by the Council. Whilst, an endorsed masterplan was not in place prior to the applications submission, the developers have worked closely with the Local Planning Authority (LPA) to address the concerns expressed during the life of the application and submitted additional documentation to support the proposals. It must also be noted that through the use of appropriately worded conditions there is the opportunity to secure additional masterplanning details prior to the approval of the reserved matters applications.

The original Design and Access statement which supported the planning application fell significantly below the standard or quality expected in support of an allocated strategic site as required by policy H SP2. The originally submitted detail had failed to adequately demonstrate how the indicative layout and proposed density had been arrived at beyond the most basic of detail.

Given the shortcomings of the original submission an amended Design and Access statement (subsequently referred to as DAS) was received on the 15th October 2018 which was prepared following extensive negotiations with the LPA. This amended documentation is considered to provide adequate support for the application and sets out in significantly greater detail the design rationale as well as how the development will be designed to meet the requirements of relevant development plan policies.

The evaluation and rationale section of the DAS on page 52 identifies the core principles of the development which includes, but is not limited to, the development being well connected to existing facilities and services in the village, with new roads, footpaths and cycleways; creation of a clear hierarchy of streets and spaces; creation of a robust green infrastructure which retains the existing landscape features; reinforces the character of the local area through inclusion of new distinct character areas; and ensures that the development reinforces the character of Yapton as a place.

The indicative layout has been prepared upon the basis of the above core principles. Figure 24 within the DAS (page 54) identifies how the proposed development has been designed to integrate with the existing village through the incorporation of a number of pedestrian and cycle linkages. The movement and access drawing (Figure 22 on page 41) identifies that the village centre and 11 bus stops will be situated within a 15minute walk time of the development. These pedestrian linkages will be further enhanced through pedestrian crossing improvements in Yapton. Given the approach identified within the DAS and the enhancements to be obtained through the s278 agreement, it is considered that this element of the proposal accords with policy H SP2 (a) and (j) of the Arun Local Plan. The highways impacts and enhancements of the scheme shall be considered in further detail later in the conclusion to this report.

The DAS also establishes the indicative principle of the road hierarchy for the strategic allocation with the 'village street' (residential spine road) running through the centre of the strategic allocation (SD7) linking Bilsham Road to the south and Drove Lane to the north. The spine road by virtue of its indicative route has been designed to reflect the village character of Yapton with bends and turns present along the route. The DAS further identifies that the spine road will have a minimum width of 5.5m with verges and footpaths on either side of the road. The principal route through the scheme is insufficient in width to function as such. At the width proposed, it will appear as a normal residential street similar to the remainder of the development. However, this matter can be addressed at reserved matters stage in

order for the primary route to be clearly differentiated and adequately serve the development in terms of design and proportions. The LPA will require the design of this route to be significantly improved in terms of design and proportions.

The indicative layout (drawing no. 1244G.03A) incorporates a segregated footpath with tree planting along the primary route which is considered to enhance legibility as well as acting as a green link between the open spaces throughout the development. The road hierarchy also identifies residential streets (4.8-5.5m in width), Lanes (4.8m in width) and Drives (shared surfaces measuring a minimum of 4.8m in width). It is considered that the indicative layout has adequately demonstrated the road hierarchy for the proposal as well as demonstrating how the proposed development could accord with policy H SP2 (d) of the Arun Local Plan.

The indicative site layout (drawing no. 1244L.03A) demonstrates how the proposed development could be accommodated on the site. The indicative layout takes account of the existing surrounding development as well as the rural character of land to the south and north-west of the application site. The proposed development incorporates a green buffer along the southern and northern boundaries of the site as well as retaining a buffer between the proposals and the Yapton Conservation Area and the Portsmouth to Arundel Canal.

The proposal incorporates a central open space which ties into the southern portion of the development to create a central feature. Further open space is provided along the northern and southern boundaries as well as to the south-east of the access from Main Road. It is considered that the indicative layout demonstrates that the development can secure a clear and harmonious relationship between town and country through the creation of a strong boundary through the retention, enhancement and addition of boundary planting and screening in accordance with policy H SP2 (b) of the Arun Local Plan.

The DAS also identified a number of character areas throughout the development and identifies key design principles for the development. This includes densities across the development which range from 20-30dph (lowest density) to 35-40dph (highest density). Some concerns do exist for the LPA in relation to the indicative layout due to the lack of variation or differentiation within each of the character areas with a 'similar' type, mix and variation of dwellings across each of the character areas. Therefore, the LPA would expect at reserved matters stage for this concern to be adequately addressed by the applicant.

The core principles set out within the submitted documentation in support of the application are supported by the LPA and the developer must ensure that these inform the design of any future reserved matters application.

The DAS also incorporated a thorough contextual appraisal for Yapton on pages 14 - 31 of the DAS. This approach is deemed to be in accordance with policy D SP1 of the Arun Local Plan.

It should be noted that this application is for outline permission with all matters reserved save access. However, the proposed submission by virtue of the documentation submitted in support of the application has adequately addressed how the site can acceptably accommodate the level of development proposed whilst ensuring compliance with relevant development plan policies. Therefore, the proposal is deemed to accord with policies HSP2 (a), (b), (d) and (j) and D SP1 of the Arun Local Plan.

HIGHWAYS

The application was accompanied by a Transport Assessment (Ref 14-111 dated December 2017) as well as the Proposed Site Access Plan (Ref 14-111/301). These documents were the subject of consideration by the LHA.

The latest consultation response from the Local Highway Authority (LHA) was received on the 17th December 2018 and confirmed that the LHA have no objection to the proposed site access arrangements from Main Road.

It was identified in the consultation response from WSCC dated 17/05/2018 for planning application Y/91/17/OUT that the Burndell Road and Bilsham Road roundabout would be approaching capacity by 2031 within sensitivity tests in which a through road is not implemented at the site prior to full occupation. Therefore, a suitably worded condition has been incorporated to ensure the internal link road is operational before the two application sites reach full occupation.

A number of contributions have been identified to mitigate the impact of the development upon the highways network and these are identified as;

- £895,952 contribution towards strategic infrastructure. This includes contributions towards highway improvements as identified through the 'Systra Transport Study' to support the Arun Local Plan. These improvements include the Oystercatcher junction, Comet Corner, link improvements on the A259 and public realm improvements in Barnham. However, a £550,000 contribution has been ring-fenced for the enhancement of the Oystercatcher Junction.
- £40,500 contribution towards a pedestrian/cycle route between Yapton and Barnham.
- Local improvements including the extension of footway to Bilsham Road and the new site access which are to be delivered via Section 278 agreement as part of the site access works to Bilsham Road.

As this application is for outline consent consideration to parking provision will be a matter for approval at reserved matters stage. The developer will need to consult with the WSCC parking demand calculator to identify parking provision requirements. It was also identified within the WSCC consultation response that a travel plan will need to be submitted in support of the application and a condition has been included requiring this.

It is considered that the proposed development highways impacts will be adequately mitigated subject to the proposed conditions and financial contributions identified by WSCC LHA being secured. Therefore, on this basis the proposal is deemed to accord with policy H SP2 (g) and (k), T SP1, T DM1 and INF SP1 of the ALP.

EDUCATION

At the time of writing this report a formal consultation response confirming the financial contributions towards primary, secondary and sixth form education has not been received from WSCC education. It is identified within policy H SP2c (a) that the development proposal must accord with the following infrastructure requirement;

"provide a one-form entry primary school and nursery places, either on-site, or by making a contribution towards new facilities or the improvement or expansion of the relevant existing facilities"

The Stakers Farm application (under reference Y/44/17/OUT) included the gift of land to WSCC to enable the expansion of Yapton Primary School. This gift of land has been secured via legal agreement and it has been confirmed by WSCC that the two developers (Y/91/17/OUT and Y/92/17/OUT) are no longer being asked to provide a school site. However, there is still the requirement to provide sufficient financial contributions to secure the provision of a 1 form entry expansion to accommodate the child product from the proposed development and allow Yapton Primary School to be BB103 compliant. The developer contributions would not be based on the WSCC Calculator but would be on the Build Cost and full 'turnkey' cost for a 1FE extension.

It has been verbally confirmed by WSCC that the developers and WSCC are in agreement on the necessary financial contribution and once this has been formally confirmed this will be secured via the

s106 agreement. The financial contribution towards primary education from this application is likely to be around £2,106,562.

The approach adopted in this case (expansion of Yapton Primary School), whilst different to the specific project identified within the Infrastructure Delivery Plan (IDP) is considered to be policy compliant in accordance with policy H SP2c SD7 (a) of the Arun Local Plan.

In terms of secondary education the developers have provided a 'Secondary School Capacity' document (prepared by Nexus planning), which states that due to the housing mix proposed at the development site, and the child product this would generate, there is adequate secondary school headroom within the Barnham/Westergate Planning Area to accommodate the proposed development.

WSCC have verbally confirmed that there is currently no available capacity for secondary education within Arun and as such the developer will be required to make a financial contribution towards secondary provision within the District.

The LPA have calculated the secondary need generated by the Strategic Allocations and have identified a financial contribution of £6,038 per dwelling. Therefore, the financial contribution towards secondary education for a development of 300 dwellings would be £1,811,400.

WSCC education are yet to provide formal confirmation that this figure will address the secondary education needs of the development. Should the developers agree to provide this contribution as part of the s106 agreement it is considered that the development will accord with policies H SP2(n) and INF SP1 of the Arun Local Plan.

Should the appropriate financial contributions as identified above be secured as part of the s106 agreement then it is considered that the proposals will accord with relevant development plan policies. Failure by the developer to agree with the financial contributions as identified above would result in conflict with policies H SP2c SD7 (a), H SP2 (n) and INF SP1 of the Arun Local Plan and would justify refusal of the application.

HEALTH CARE PROVISION

Planning policy H SP2c (d) of the ALP requires the strategic allocation to make financial contributions towards new healthcare facilities which will be incorporated at Ford or the expansion of relevant existing facilities at Ford (SD8). However, the NHS in their amended consultation response, dated 29th January 2018 and received by the LPA on the 9th May 2018, identify that the financial contribution from this development should be towards 'The Croft Practice' for the infrastructure needs of managing treatment room capacity or implementation of a strategic hub.

This location has been identified as land is available adjacent to the existing Croft Practice to provide additional or new facilities. It is considered by the NHS that there is a lack of certainty as to the delivery or occupation of any new facility provided as part of the strategic allocation at Ford (SD8). The requested financial contribution is necessary to ensure that adequate health care provision is available to meet the demands of future occupiers of this development.

The s106 Heads of Terms have identified a number of potential projects which includes the creation of a new practice at Ford as well as the expansion of existing facilities. This approach is deemed to accord with policy H SP2c (d) of the ALP and the financial contribution requested by the NHS would accord with policy INF SP1 of the ALP and would address the additional demand generated by the proposed development.

ADDITIONAL INFRASTRUCTURE CONTRIBUTIONS

Additional infrastructure contributions have been secured towards libraries, fire & rescue, police and leisure facilities. A contribution of £100,000 towards the provision of a New Tier 7 library facility is also identified within the Infrastructure Delivery Schedule and Phasing Plan. However, 5 contributions have already been secured towards the provision of a new Tier 7 library in Yapton and as such the pooling regulations would restrict securing any further contributions.

The contributions secured (as set out within the Heads of Terms) are considered to accord with the Community Infrastructure Levy 123 and mitigate the impact and address the needs of the proposed development in accordance with INF SP1 of the Arun Local Plan.

Full details of the contributions secured are provided in the heads of terms attached to this report.

AGRICULTURAL LAND

The Natural England 'Agricultural Land Classification map London and the South East (ALC007)' identifies the site being classified as Grade 1 and Grade 2 agricultural land.

The Ministry of Agriculture, Fisheries and Food 'Agricultural Land Classification - October 1988' identifies Grade 1 as 'excellent' and Grade 2 as 'very good quality'. The NPPF (paragraph 112) requires that the Local Planning Authority (LPA) takes into account the economic and other benefits of this type of land. Given that the site has been identified within the Arun Local Plan (ALP) as a strategic allocation and has been the subject of significant assessment as part of the allocation process. Therefore, it is considered that this provides evidence that alternative options for the location of a strategic site have been explored and subjected to a Sustainability Appraisal process to select the most sustainable sites. The Arun Local Plan Sustainability Appraisal recognised that most of the undeveloped coastal plain within the District is high grade agricultural land and that the majority of the strategic sites would have a significant negative effect on the objective of avoiding the loss of 'best and most versatile' (BMV) land. The loss of BMV is one factor in the site selection and decision making process.

Policy SO DM1 of the ALP 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. As the site is allocated within the ALP the proposal would meet the requirements of policy SO DM1.

Policy E1 of the YNP states that planning permission will be refused for development on grade 1 and 2 agricultural land unless it relates to housing allocations identified in the YNP (policies SA1 and SA2); or it involves granting planning permission for any additional housing sites required by policy H1 to meet the objectively assessed housing needs in the Plan area. As this application site is a strategic allocation under policy H SP2c of the ALP it is considered that the development of the site is necessary to meet the objectively assessed housing needs (OAN) of the district.

LANDSCAPE

The protection of landscape character is an important consideration, although the site is not within a protected landscape or likely to impact on the setting of the South Downs National Park. A Landscape and Visual Appraisal (LVA) has been submitted which seeks to assess the impact of the proposal on the landscape and to determine what mitigation measures are appropriate. Local concerns have been raised about how the development will have a negative impact on the rural setting of the village.

The Arun Landscape Capacity Study (2017) carried out to support the allocation of the site in the Local Plan considered the landscape capacity of the allocation to accommodate housing development. The application site in this case was subdivided into 8b (consisting of the north-western most fields) and 8c (consisting of the south-eastern most portion of the site). The Landscape Capacity Study commissioned by the LPA identified that 8b was judged to have moderate rating of sensitivity and value and was

therefore considered to have medium capacity of development. Whilst, 8c was identified as being better related overall to the existing settlement pattern and was judged to have medium/high landscape capacity for housing development.

The LVA (submitted in support of the application) concluded that the effect of the development upon the landscape character of the site and its immediate context will be moderate adverse, as arable farmland will be replaced by dwellings. However, the established framework of hedgerows and hedgerow trees will be retained and reinforced where feasible, limiting the extent of the effects and providing an established landscape framework.

It was also concluded within the LVA that the visual envelope of the site is restricted by the level topography, in combination with screening elements such as the settlement edge, other built development, hedgerows and trees. It is further concluded that 'the site has capacity to accommodate a sustainable residential development of 300 dwellings and open space' and that 'a well-planned development that considers the visual amenity of nearby receptors would not result in any unacceptable effects on landscape character or visual amenity'.

It is considered by the LPA that a suitably designed and landscaped development would not give rise to unacceptable impacts upon the existing landscape character of the locality in accordance with policy LAN DM1 and H SP2 (c, d and e) of the Arun Local Plan.

AFFORDABLE HOUSING

For all developments over 11 residential units the Council requires a minimum of 30% affordable housing on site, as set out in Policy AH SP2 of the Arun Local Plan. The Council's 'Housing Strategy and Enabling Manager' has been consulted and has raised no objection to the proposed development, but has requested a precise breakdown of the proposed affordable housing units by tenure and dwelling type/size for inclusion in S106 agreement.

The proposed affordable housing provision would be in accordance with the 30% requirement as specified by policy AH SP2 of the ALP.

HOUSING MIX

Policy H2 of the YNP identifies the preferred housing mix for developments of fifteen dwellings or more and the indicative housing mix identified within this application, with the exception of 3 and 4 bedroom properties would accord with policy H2 of the Yapton Neighbourhood Plan (YNP).

The Design and Access statements (submitted in support of Y/91/17/OUT and Y/92/17/OUT) identify the following housing mix as having informed the illustrative masterplan for the entire strategic allocation;

Unit	No. of Units	% mix
1 bedroom apartment	65	12
2 bedroom apartment	15	3
2 bedroom house	162	29
3 bedroom house	193	35
4 bedroom house	115	21

The Updated Housing Needs Evidence - Final Report (Sep 2016) under table 29 identifies the recommended strategic mix of homes for the Arun District over the emerging plan period (2011-31). However, this is a district wide distribution and the context of the site must be taken into consideration.

The exact mix of dwellings is not for approval at this stage and this will be determined at reserved matters stage. It is evident from the documentation submitted in support of the application that the site

can accommodate the level of development proposed. However, it will be necessary for the reserved matters application to justify the final housing mix.

It is required by Policy H3 of the YNP that developments of five or more dwellings ensure that a minimum of 25% of the 1, 2 and 3 bed dwellings provided are delivered to Lifetime Homes standards. This will be secured via a suitably worded condition which will require 25% of all dwellings to be constructed to Lifetime Homes or equivalent (Approved Document Part M) standards.

OPEN SPACE

The design and access statement (October 2019) submitted in support of the application on page 107 identifies a total open space provision of approximately 2.39ha (consisting of amenity green space, natural and semi-natural open space, parks and gardens and provision for children) equating to approximately 18% of the site. This takes into consideration the proposed attenuation basins which have an area of approximately 0.39ha. Therefore, the total open space provision excluding the basins is 2ha.

The Council's Greenspace team in their consultation response noted that a high proportion of the indicated open space is detailed as SUDs features and further detail was requested providing cross sections of these SUDs features and anticipated timescales for these being water holding bodies.

Fields in Trust Beyond the Six Acre Standard identifies an open space requirement of 2.112ha for the 300 dwellings proposed by this development which has been exceeded on site. Attenuation basins are present within the open space but it has been identified on page 116 of the DAS that the attenuation basins will be dry for the majority of the time and be available for use as public open space. Therefore, should the attenuation basins be wet for prolonged periods there would be a marginal shortfall of 0.112ha of open space against the Fields in Trust standards but an over provision of open space when considered against the Open Space Study (September 2016).

It is considered that given the minor shortfall and the drainage strategy seeking for the attenuation basins to be dry for the 'majority of the time' it has been adequately demonstrated that the application site can accommodate the level of development proposed whilst still providing adequate open space provision. Given the outline nature of this development this will be a matter for full approval and further consideration at reserved matters stage.

The on site open space and play provision is considered to accord with policy OSR DM1 2 (a) subject to the additional financial contributions towards the enhancement of neighbourhood equipped areas of play (NEAP) in Yapton Village. Policy OSR DM1 also identifies that housing will be required to contribute towards playing pitches and indoor sport and leisure facilities.

Playing pitch contributions have also been secured in accordance with policy OSR DM1 (b) in the form of a financial contribution of £82,093 which will be directed towards the enhancement of new sporting facilities to be provided as part of the Ford Strategic Allocation (SD7). Financial contributions have been secured towards enhancements of existing indoor sport and leisure facilities in accordance with OSR DM1 (c) in the form of sports hall and 3G pitches contributions. No financial contribution towards swimming pool enhancements have been sought from the Council's Leisure Team due to pooling restrictions.

The indicative layout plan has demonstrated how the greenspace has been designed in order to create green corridors through and around the site linking and integrating the open space throughout the development. However, this will be a matter for further consideration at reserved matters stage but it is considered that the application has demonstrated how this could be achieved (given the amount of development proposed).

Therefore, the proposed development is deemed to accord with policy H SP2 (c, d and e) and OSR DM1 of the Arun Local Plan.

TREES

The Council's Tree Officer has been consulted in relation to the proposed development and the original response, identified that he could not be satisfied that the intention to retain the vast majority of trees is achievable until a Tree Protection Plan (TPP) overlaying the proposed illustrative masterplan is provided.

It was also identified that there appeared to be notable omissions in respect of existing tree cover along several sections of the site perimeter. These trees are considered to be of such dimensions and proximity as to be a material consideration and will need to be taken into consideration in any subsequent TPP and appropriate levels of protection will need to be in place before any work commences on site.

A Tree Preservation Order (TPO) was identified as necessary by the Council's tree officer and a TPO has been created under reference TPO/Y/3/18.

The developers provided an amended Arboricultural Statement (13th March 2018) and Arboricultural Impact Assessment (14th March 2018) and amended comments are awaited from the Council's Tree Officer.

However, it is considered that the indicative layout can be accommodated on the site without adversely impacting upon existing trees and hedgerows in accordance with policy E4 of the YNP.

ECOLOGY

The Council's Ecological advisor has been consulted in relation to this application and no objection has been raised. It has been confirmed that the mitigation proposed within the Detailed Reptile Survey Report (June 2016) is suitable and should be secured via condition.

Ecology have also advised that the existing hedgerows on site are used by bats for commuting and foraging and will need to be retained and enhanced. This includes having a buffer strip of 5m around the hedgerows which should be fenced off during construction to ensure that this area is undisturbed.

It was also identified that due to the boundaries of the site being used as bat commuting routes these area must remain unlit to ensure no light pollution is present to disturb the bats and a dark corridor is created. It is considered that these measures and other bat related requirements can be adequately secured via condition.

It has also been identified by the Council's Ecological Advisor that extensive enhancements are required to biodiversity by virtue of the scale of the site. Therefore, a habitat and ecological enhancement management plan has been requested for submission prior to determination. However, it is considered that this detailed information could be secured via condition.

Therefore, it is considered that the proposed development accords with policies E3 and E4 of the YNP and policies ENV SP1, ENV DM2 and H SP2 (c) of the ALP.

DRAINAGE AND FLOODING

The government flood mapping system has identified that the majority of the application site falls within flood zone 1.

The proposed surface water drainage strategy for the site identifies that the use of infiltrating SUDs in some areas of the site may be practicable. However, it is identified that most of the site is unlikely to be

suitable for infiltration. Full winter ground water monitoring has not been completed but the locations for this testing has been agreed with the Council's Drainage Engineers. The results of this testing will allow for the use of infiltration to be reviewed further and the detailed design of the drainage strategy progressed on this basis.

The Council's drainage engineers have been consulted and no objection has been raised subject to the inclusion of relevant conditions, it has been confirmed that the approach adopted will comply with the hierarchy for sustainable drainage and that sufficient treatment of surface water will be provided. Therefore, the principle of the drainage strategy is considered acceptable and is deemed to accord with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan and E11 of the YNP.

FOUL DRAINAGE

Southern Water has advised that connection at the "practical point of connection" will result in an increased risk of flooding unless network enhancement is undertaken. It has been confirmed by Southern Water that these enhancement works will be provided through the New Infrastructure Charge but that they will need to work with the developer and understand the development program to review if the delivery of network enhancement aligns with the occupation of the development.

Southern Water have requested a condition requiring the development to be phased to align with the delivery of sewerage infrastructure to prevent an increased risk of flooding. However, that such a condition could not be considered reasonable and as such would conflict with Paragraph: 003 (Reference ID: 21a-003-20140306) of the National Planning Practice Guidance (NPPG).

It is the responsibility of Southern Water to ensure that the necessary enhancement works are in place to avoid any increased risk of flooding. However, a condition has been incorporated requiring the submission of the foul drainage system for approval prior to commencement. As such, the developer will need to identify any interim measures necessary to address capacity issues prior to network reinforcement being undertaken by Southern Water.

It was identified within a memorandum of understanding (MOU) between Arun District Council and Southern Water (dated September 2017) in support of the Arun Local Plan and within the examination in public Inspector's report (July 2018) there were sufficient assurances that waste water and sewerage discharge proposed by the strategic allocations could be accommodated within the district subject to appropriate upgrade works.

Therefore, it is considered that subject to the proposed conditions that the development would accord with policy W DM1 of the Arun Local Plan.

BUILT HERITAGE AND LISTED BUILDINGS

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and states that when considering whether to grant planning permission for development which affects a listed building or its setting, the LPA shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 20(d) of the National Planning Policy Framework (NPPF) states that the planning system should contribute to and enhance the natural and local environment.

Paragraph 192 of the NPPF states that in the determination of planning applications the LPA should take account of the desirability of sustaining and enhancing the significant of a heritage asset; the positive contribution that conservation of heritage assets can make to sustainable communities; and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 193 of the NPPF states that great weight should be given to the conservation of heritage assets and notes that significance can be harmed or lost through inappropriate development within their setting.

The Council's Conservation Officer was consulted and in their consultation response of the 18th May 2018 it was advised that;

"The proposals have the potential to affect three heritage asset types: Listed Buildings, Conservation Area and the route of the Arun-Wey canal."

Therefore, it was highlighted that the development should take account of the impact that it will have upon them in accordance with paragraph 128 of the NPPF.

It was acknowledged by the Council's Conservation Officer that the application was accompanied by a heritage statement which provided information as to the impact upon the setting of listed buildings. But that limited information was provided in relation to the other two assets. Therefore, it was requested that more information was provided with regards to the impact of the proposed development on the conservation area and its setting.

Further information was provided by the developer within the amended DAS (October 2018) in relation to the impact of the development upon nearby heritage assets on pages 72 and 73.

Historic England were consulted and in their response dated the 17th January 2018 identified that;

"We think this is not an application which meets the criteria for us to be consulted or to offer advice."

A further letter was received from Historic England on the 4th September 2018 which highlighted an additional non-designated heritage asset which had been brought to their attention by a resident of Yapton. This was Drove Lane which was considered by the resident to be an ancient drove route between Felpham and the Weald.

It was concluded in the letter from Historic England that the track-way is not a designated heritage asset and nor did they think that it was of a proven equivalent significance to such a designated asset. Nevertheless, it was acknowledged that it has some heritage significance and that the development could impact upon this. Therefore, in accordance with paragraph 189 of the NPPF any harm to its significance should be avoided or minimised where possible.

A further heritage addendum statement was provided by the applicant in support of planning permission on the 27th November 2018 in which it was concluded that the proposals would cause a very minor impact to the archaeological interest of Drove Lane. It was further considered that the mitigation is embedded in the landscape proposals and that due to the northern part of Drove Lane having already been highly modified, the proposed mitigation would reduce the level of harm to the non-designated heritage asset to a negligible level. In accordance with Paragraph 197 of the NPPF, it was identified that this harm should be weighed in a balanced judgement against the low significance of the non-designated heritage asset of Drove Lane.

It is considered by the LPA that the proposal when balanced against the impact on the significance of the non-designated heritage asset (Drove Lane), in accordance with paragraph 197 of the NPPF, that the proposals will not result in unacceptable harm or loss to the significance of the asset when the existing character of this portion of Drove Lane is considered. Drove Lane has already been adapted to provide vehicular access and features tarmac surface where it runs adjacent to the northern boundary of the site. Similarly, the proposed landscaping along this portion of the site will be a subject for

consideration at reserved matters stage but it is considered that this can be designed in a manner which will not adversely impact upon significance.

The proposed development (red line boundary) encroaches within the Yapton Conservation Area but the indicative site plan shows the built development being situated outside of the Yapton Conservation Area. The existing pastoral field and canal route to the south of Main Road will remain intact with only the site access and emergency access crossing or interacting with this portion of the site. A number of listed buildings are situated to the north and south of Main Road and the proposed development will have an impact upon these heritage assets. It is considered that by virtue of the topography of the site and the limited presence of the development within the street scene of Main Road as well as the proposed separation distances (between the development and the heritage assets) that the proposal will result in less than substantial harm to the setting of these heritage assets. Therefore, it is necessary to consider the proposal in accordance with paragraph 196 of the NPPF which states;

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

It is considered that the public benefits of the development and the provision of housing to meet the objectively assessed needs of the development will outweigh the less than substantial harm to the heritage assets situated around the application site.

Therefore, it is considered that the proposed development will not have an unacceptably adverse impact on the conservation area, non-designated assets or listed buildings surrounding the site and as such would accord with paragraphs 20(d), 190, 192, 193, 196 and 197 of the NPPF as well as policies HER DM1 and HER DM3 of the Arun Local Plan and policies E8 and E9 of the YNP.

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.

QUALITY OF THE ENVIRONMENT

This application was the subject of consultation with the Council's Environmental Health department who raised no objection to the principle of development. It was identified that no Air Quality assessment was submitted in support of the application but it should be noted that QE DM3 only requires an air quality assessment to be submitted when the development proposed is nearby to any Air Quality Management Areas (AQMA) within the District. Arun currently does not have any AQMA and as such there is no policy requirement for the submission of an air quality assessment prior to determination.

It was also requested that a Construction Environmental Management Plan (CEMP) condition was attached and this has been included as part of the recommendation.

A letter of representation was received stating that Japanese knotweed was present on site. The LPA do not have any further evidence to suggest that this is the case but as a precautionary measure a condition

has been incorporated relating to this.

SUMMARY

The proposed development is considered to be acceptable in principle as has been established above and it has been identified within the report that the proposal will not conflict with the development plan.

The impact of the proposed development upon existing infrastructure can be adequately mitigated through the contributions identified within the attached heads of terms. The proposed development is considered to have been comprehensively masterplanned and would accord with the requirements of policy H SP2 and H SP2c SD7.

Therefore, it is recommended that planning permission is granted subject to the below conditions and completion of the S106 agreement. However, should the S106 contributions identified within the heads of terms not be agreed by the applicant, then it is requested that authority is delegated to the Group Head of Planning in association with the Chairman and Vice-Chair of the Development Control Committee to refuse the application. Failure to provide the identified contributions would result in the proposed development failing to mitigate its impact and result in conflict with relevant development plan policies.

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 3 years beginning with the date of this permission:-

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

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

- 2 The development hereby permitted shall be begun 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).

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

Site Location Plan - 22/11/2017
Parameter Plan - 1244L.02
Proposed Site Access - 14-111/301

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 (2011-2031).

- 4 No development shall take place until a detailed scheme of phasing for the construction of the dwellings and associated highways and public areas has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a schedule identifying the order of anticipated commencement and completion within each phase of construction.

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. It is considered necessary for this to be a pre-commencement condition because the phasing of the development needs to be satisfactory before work commences.

- 5 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, 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.

- 6 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;

Illustrative Site Layout Plan - 1244L.03A
Design and Access Statement - 15th 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.

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;
- 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 surfacing, and signage of all footpaths, and a phasing plan for their provision;

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 ENV DM4 of the Arun Local Plan.

8 Prior to the commencement of each phase of the development an Arboricultural Method Statement and Tree Protection Plan shall be submitted for that phase to and approved in writing by the Local Planning Authority and the development shall be undertaken in strict accordance with the details so approved.

Reason: To ensure the retention and maintenance of trees and vegetation which are an important feature 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 as the protection and retention of trees goes to the heart of the planning permission.

9 Prior to the approval of any reserved matter full details of the proposed surface water drainage scheme shall be submitted to and approved in writing by the local planning authority, and shall include;

- Winter groundwater monitoring to established highest annual ground water levels and percolation testing to BRE 365, or similar approved, will be required to support the design of any infiltration drainage.
- Details of any discharge of any flows to watercourses, the culverting or diversion, infilling or obstruction of any watercourses on the site.
- Arrangements for future access and maintenance of any watercourse or culvert (piped watercourse) crossing or abutting the site.

No building shall be occupied in any phase until the complete surface water drainage system

serving it 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 D 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 surface water disposal scheme is agreed before construction commences and to protect existing watercourses prior to the commencement of development.

- 10 Prior to the occupation of each phase full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual for that phase 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 D 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 any building being occupied in a phase, and after completed construction of the surface water drainage system serving it, the owner or management company shall either provide the local planning authority with an updated copy of the management manual incorporating any changes as a result of construction/implementation or confirm in writing that no changes are required to the manual.

No further changes shall be made to the approved surface water drainage system Maintenance & Management Plan/Regime including the management company responsible or the financial arrangements between the owners of the dwellings & the management company other than with the written consent of the Local Planning Authority.

The owner or management company shall thereafter strictly adhere to and implement the recommendations contained within the manual to ensure that the system is maintained in perpetuity.

Reason: To ensure the efficient maintenance and on-going operation of the surface water drainage system and to ensure the best practice in line with guidance set out in 'The SuDS Manual' CIRIA publication ref: C753 Chapter 32, in accordance with Policies D DM1, W DM2 and W DM3 of the Arun Local Plan.

- 12 Prior to the approval of any reserved matter 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 relating to that dwelling 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.

- 13 Any reserved matters application shall be substantially in accordance with the 'Habitat and Ecological Enhancement Management Plan (November 2017) - LLD1320-ECO-EDS'.
- 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 SP1 and ENV DM5 of the Arun Local Plan.
- 14 Prior to the commencement of development the mitigation strategy for reptiles shall be implemented in accordance with the details specified within the 'Detailed Reptile Survey Report (November 2016)'.
- 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.
- 15 Prior to the occupation of any dwelling of a particular phase, 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 southern 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.
- 16 Prior to the commencement of development in each phase, 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 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.
- 17 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:

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.

- 18 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.

- 19 Prior to commencement of development for each phase 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.

- 20 No part of the development shall be first occupied 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 B2132 Bilsham Road' and numbered 14-111/201 Rev A.

Reason: In the interests of amenity and to avoid unacceptable harm to highway safety in accordance with policies T SP1 and D DM1 of the Arun District Local Plan. It is considered necessary for this to be a pre-commencement condition as establishing an access to the site goes to the heart of the planning permission.

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

Reason: To encourage and promote sustainable transport in accordance with Policies D DM1 and T SP1 of the Arun Local Plan.

- 22 Before development commences on any phase a scheme identifying the principles to be incorporated into detailed building design as the means of energy conservation, together with on-site energy renewable devices for that phase, shall be submitted to and agreed with the Local Planning Authority. Such scheme as is submitted shall seek as a target the provision of on-site renewable energy which will generate an estimated 10% of annual energy requirements of the buildings granted planning permission. In determining the provision of on-site energy generation account will be taken of the impact on the viability of the development. Such scheme as is approved will be implemented in accordance with the scheme for that phase.

Reason: In accordance with Policy ECC SP2 of the Arun Local Plan. It is considered necessary for this be a pre-commencement condition as sustainability goes to the heart of the approval.

- 23 Prior to the commencement of each phase of the development, 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 in that phase, 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.

- 24 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 in writing by the Local Planning Authority.

Reason: The site has the potential to contain unknown remains of archaeological importance therefore in accordance with Policies D DM1 and 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.

- 25 Prior to the commencement of any phase of development, an Electric Vehicle Charging Strategy will be prepared and submitted to the Local Planning Authority which identifies 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.

- 26 Twenty-five percent (25%) of all 1, 2 and 3 bedroom dwellings shall be designed and constructed to Lifetime Homes standards or equivalent current standard to be agreed in writing with the Local Planning Authority.

Reason: To ensure that dwellings are adaptable and meet the diverse needs of future occupiers in accordance with policy H3 of the Yapton Neighbourhood Plan, policy D DM1 of the Arun Local Plan and Paragraph 61 of the NPPF.

- 27 No development shall commence on any phase 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 for that phase 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 for that phase.

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.

28 Prior to the commencement of development the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1. A preliminary risk assessment which has identified:
all previous uses potential contaminants associated with those uses
a conceptual model of the site indicating sources, pathways and receptors
potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

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

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun Local Plan policies QE SP1 and QE DM4. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences.

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

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun Local Plan policies QE SP1 and QE DM4.

30 Prior to / , a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

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

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

- 31 No more than 95% of the total dwellings to be provided on this site shall be occupied until such time as the primary route (Residential Street as defined in the DAS dated October 2018) has been constructed linking Main Road with the boundary of the site with Y/91/17/OUT.

Reason: The Burndell Road and Bilsham Road mini roundabout has been shown to be approaching capacity in sensitivity tests when the through road has not been constructed and the developments are fully occupied. Therefore, this condition is considered necessary in the interests of highway capacity and safety in accordance with policies T SP1 and D DM1 of the Arun District Local Plan.

- 32 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.
- 33 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.
- 34 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.
- 35 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.