

ADDENDUM REPORT

Application Number:	AWDM/0021/22	Recommendation - Approve with the decision to grant permission being delegated to the Head of Planning and Development subject to the completion of a planning obligation.
Site:	Land East Of Shadwells Road At Mash Barn Estate, Mash Barn Lane, Lancing	
Proposal:	Erection of 385 dwellings and Community Hub (Flexible Class E/F1/F2 use) along with associated access, landscaping, car parking and public open space (an increase of 34 dwellings from the outline approval of 351 dwellings (AWDM/0961/17))	
Applicant:	Cala Homes	Ward: Mash Barn
Agent:	Mr Peter Rainier	
Case Officer:	James Appleton	

Additional Supporting Information

As requested by the Highway Authority the applicants have updated the Safety Audit Designer's Response. With regard to the bus stop locations these were agreed under the original scheme and S38 agreement which has technical approval, Cala is not proposing to change them. The S38 has technical approval but will need a slight amendment to account for visitor bays and changes to the raised table. The applicant has confirmed that the Site Plan will be updated to indicate the location of bus stops and Landscape Plans are also being updated to ensure that planting does not impinge on visibility splays. Although the applicant has questioned the need for additional highway contributions Cala Homes has reluctantly agreed to the increased contribution.

The applicant's drainage Consultant has responded to the representation by Adur Flood Watch Group and this is appended to this Addendum as **Appendix I**.

Additional Consultation Responses

West Sussex has stated that it agrees with the approach set out in the report to require all education contributions to be provided for the additional 34 dwellings (other than secondary) and for a viability review upon completion of the development to assess the scope to increase the level of education contributions. West Sussex also indicates that with falling pupil numbers for Primary Schools it may consider allowing some flexibility for the funding to improve facilities for different age groups (including Secondary) within the planning obligation.

Additional Representation

Adur Floodwatch Group comments that,

As per previous comments for the New Monks Farm hybrid application Adur Floodwatch Group (AFG) still objects to this development with the area concerns for high risk of flooding with an Environment Agency rating of 3a and issues of rising groundwater.

Foul Waste Management

Adur Floodwatch Group particularly wishes to raise concerns to do with the management of foul waste by Southern Water for the above proposed development application

For the original hybrid application AWDM/0961/17 the management of foul waste for the overall scheme of 600 homes/IKEA/Travellers site/B&H Albion Training Academy was given an approval for a pumped solution into a new sewer line through Barfield Park to connect with the existing sewer line for North Lancing at the junction of Barfield Park and North Farm Road. From there flows all to go under the railway for onward pumping by the Old Salts Farm Pumping Station to the East Worthing waste treatment plant. It was understood that the capacity of the pumping station would be enhanced to accommodate increased flows. AFG has no evidence that this work has been carried out.

Flows from the New Monks Farm site would be managed by telemetric sensors from an onsite pumping station to allow flows of up to 21 litres/sec only when the existing N Lancing sewer line had capacity. There was to be a containment tank to withhold flows on site when capacity was not available. AFG can find no evidence that this latter facility has so far been constructed when referencing the new detailed drawing for foul waste (see Appendix 3 Flood Risk Assessment Part 2 of 3).

For the original hybrid application, AFG raised considerable concerns regarding the capacity of the N Lancing sewer to accommodate these increased flows. In extreme weather, this sewer surcharges with the ingress of rising groundwater with loss of foul waste amenity to residents in extreme weather conditions.

So far, the first phase of buildout for Cala Homes, the Training Academy and the Travellers site have now been connected to the new sewer in Barfield Park with flows pumped from the onsite pumping station. For the last two winters we have not experienced excessive rainfall to cause the above inundation problem, whereas virtually every winter prior to that has seen surcharging sewers in Grinstead Lane and loss of foul waste for residents in adjoining roads. To manage the problem, SW has to implement over pumping into ditches or into other sections of sewer and/or employ use of tankering. This management has often to continue for months at a time to maintain sewer facilities for residents with considerable inconvenience to the community and managed traffic flows on the road network.



With the changing weather patterns, residents are still concerned that the original scheme, as approved, will exacerbate these issues in extreme weather events when groundwater levels rise, as they do, when the aquifers in the Downs and the coastal area no longer have capacity to contain rainfall levels.

The above is the background to AFG's concerns.

Risk of foul flooding

Referencing the evidence of letters on this further application from Southern Water (14th March 2022) it appears that this second phase of the Cala Homes build cannot be accommodated without reinforcements of the sewer network for fear of increased risks of foul flooding!!

SW would have surely referenced their original approved sewer scheme for the complete New Monks Farm development. If they now have capacity concerns, it

totally vindicates the community concerns that the original approval for the New Monks Farm was not fit for purpose!!

They are calling for a phased occupation schedule for the 385 homes only some of which they say could be connected before reinforcement is required. They are requesting further consultation with the applicant. So far, on the planning portal, there is no evidence of either the phasing of occupation or the further consultation with reinforcement resolution for this key element of infrastructure and its sustainability.

We also wish to point out that the Old Salts Pumping Station serves the sewer line from the West Beach Estate with the significant problems which are ongoing there to re-line that main sewer. Is lack of Old Salts pumping capacity also exacerbating the West Beach issue? (That West Beach sewer line also serves the foul waste flows from the private sewer on the Shoreham Airport which will shortly be adding to its flows from the 25,000 sqm commercial development in the North East corner of the airport.)

Once again, this demonstrates inconsistencies when it comes to matters of Southern Water connection to sewer networks for large development applications. With current events, it is unsurprising that there is a lack of public trust in this utility provider.

Defer Approval

AFG is particularly worried that if approval is given for this reserved matters application, this foul waste infrastructure will be given a post approval condition. We believe a complete solution should come before planning committee for consideration prior to approval.

Management of foul waste flows is key infrastructure. AFG asks that no final decision be given for this application until this concern for increased risk to foul waste management is resolved.

Planning Assessment Update

The further comments of the Highway Authority are awaited, however, as set out in the original report the minor infringements of visibility splays are being addressed and can be secured during the delegation period. The applicant has agreed to meet the increased highway contributions, albeit reluctantly.

The Local Councillor Lee Cowan has questioned why there is not an increase in the off site open space contributions. In connection with the original hybrid approval £100,000 was secured to improve the existing play area at Shadwells Road. For the outline area no additional formal play space was proposed but a central green is to be provided. No additional play equipment was proposed in view of the provision of the 25 hectare Country Park which exceeded the level of open space required for the size of the development. For the additional 34 dwellings a pro rata contribution of approximately £5,600 could be justified. The applicant is prepared to make this contribution but has requested some flexibility in terms of the requested highway contribution particularly in light of the submitted viability report. Your Officers have some sympathy with this approach given that the development has delivered

additional highway improvements over and above the Local Plan requirements, namely the provision of the fourth arm and the bridleway leading to Coombs Road. It is considered, therefore, that the highway contribution should be reduced by the required open space contribution (ie £14.4k towards highways and £5.6k for open space).

Regarding the comments of Adur Floodwatch, whilst it is accepted that there is considerable local concern about the condition of the local sewerage network, particularly given current and past problems in Lancing and Grinstead Lane, there are no grounds to defer the planning application based on Southern Waters consultation response. As stated by the applicants Drainage Consultant, both the foul and surface water drainage strategies were agreed with the relevant consultees and Southern Water has already upgraded the Old Salts Farm Pumping Station. The development has deliberately avoided added any foul or surface water to the Manor Close area in view of the ongoing issues with the poor quality of the existing network. Downstream improvements have improved the drainage situation for residents in the Manor Close area.

The applicant has commented on the draft list of conditions and commented that a number of the suggested conditions have been discharged in connection with the hybrid application and some amendments have been suggested to other conditions. As this is a new full application, hybrid conditions would need to be repeated but can be amended to relate to previously approved details (although these would need to be re-submitted), the other suggested amendments to conditions have been agreed and are set out below in the amended recommendation. In particular the applicant requests that the hours of construction times be amended from 9.00 am start to 8.00 am which is the normal construction start time and that conditions relating to Sussex Pad be deleted as they are beyond the red edged area of the application site..

Revised Recommendation

To APPROVE subject to the further comments of the Highway Authority and Natural England and completion of a planning obligation (s106) securing the matters set out in the report with the decision to issue the planning permission and agree any minor variations to the obligations to be delegated to the Head of Planning and Development and subject to the following conditions:-

General

1. The development for which full planning permission is granted shall be begun before the expiration of three years from the date of this permission.
2. The development for which full planning permission is granted shall be carried out in accordance with the approved plans listed in the schedule below.

Description	Drawing	Number	Date Received
-------------	---------	--------	---------------

3. Prior to the commencement of development a phasing plan shall be submitted

to and approved in writing with the LPA.

4. If, during development, contamination not previously identified is found to be present at the site then no further development within that Phase shall be carried out (unless otherwise agreed in writing with the local planning authority) until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
5. All hard and soft landscape works including any management and maintenance plan details, shall be carried out in accordance with the approved details. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out no later than first planting and seeding seasons following the first occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards BS5837:2012. Prior to Commencement.
6. No Phase of the development shall commence until the measures which will be undertaken to protect the public water apparatus located within that Phase, have been submitted to and approved in writing with the Local Planning Authority. *(previously discharged details to be submitted and condition to refer to approved details)*
7. No Phase of the development shall commence, including any works of demolition, until a Construction Management Plan for that Phase has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period unless otherwise agreed in writing with the Local Planning Authority. The Plan shall provide details of:
 - the anticipated number, frequency and types of vehicles used during construction,
 - the method of access and routing of vehicles during construction,
 - the parking of vehicles by site operatives and visitors,
 - the loading and unloading of plant, materials and waste,
 - the storage of plant and materials used in construction of the development.
 - the erection and maintenance of security hoarding,
 - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
 - details of public engagement both prior to and during construction works.
8. The development shall be carried out in accordance with the submitted Flood

Risk Assessment ('Flood Risk Assessment Proposed Residential Development at New Monks Park, Project No: 23621, by The Civil Engineering Practice, dated December 2021) and the following mitigation measures it details:

- Finished upper floor levels of habitable accommodation to be set no lower than 5.7 metres above Ordnance Datum (AOD).

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

9. No Phase of the development shall commence unless and until a detailed scheme for the provision of surface water drainage for that Phase has been submitted to and approved in writing by the Local Planning Authority.
10. No Phase of the development shall commence until full details of the existing and proposed land levels of that Phase in relation to Ordnance Datum and to surrounding properties have been submitted to and approved in writing by the Local Planning Authority (*previously discharged details to be submitted and condition to refer to approved details*)
11. The development shall proceed in accordance with the submitted Ecological Mitigation and Management Plan (EMMP) and all mitigation measures implemented prior to the occupation of each phase of the development.
12. No Phase of the development shall commence until a Construction Environmental Management Plan for that Phase (including works to improve the footpath under the A27) in accordance with the approach outlined in the Environmental Statement, has been submitted to and approved in writing by the local planning authority. This shall deal with the treatment of any environmentally sensitive areas, their aftercare and maintenance as well as a plan detailing the works to be carried out showing how the environment will be protected during the works. Such a scheme shall include details of the following:
 - The timing of the works
 - The measures to be used during the development in order to minimise environmental impact of the works (considering both potential disturbance and pollution)
 - A map or plan showing areas designated for oil storage, washing down concrete/ cement, etc.
 - A map or plan showing habitat areas to be specifically protected during the works.
 - Any necessary pollution protection methods
 - Information on the persons/bodies responsible for particular activities associated with the method statement that demonstrate they are qualified for the activity they are undertaking. The works shall be carried out in accordance with the approved method statement approved for the relevant Phase.

13. No Phase of the development shall commence until a scheme for the provision and management of a buffer zone alongside all ditches within the Phase has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The buffer zone scheme shall be free from built development including domestic gardens and formal landscaping; and should form a vital part of green infrastructure provision. The schemes shall include:

- plans showing the extent and layout of the buffer zone.
- details of any proposed planting scheme (for example, native species).
- details demonstrating how the buffer zone will be protected during development and managed/ maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.
- details of any proposed footpaths, fencing, lighting etc.

(previously discharged details to be submitted and condition to refer to approved details)

14. No Phase of the development, except remediation, demolition, archaeological and drainage works, shall commence until a detailed watercourse management plan, in accordance with the approved Draft Watercourse and Flood Defence Bund Management Plan, including long-term ecological objectives, management responsibilities and maintenance schedules for all of the ditches within that Phase, has been submitted to and approved in writing by the Local Planning Authority. The water management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority. The scheme shall include the following elements:

- details on how water levels in the ditches shall be maintained to achieve the long term ecological objectives of the plan
- details of maintenance regimes and management responsibilities
- details of eel passage through hydrological barriers as required by Eel Regulations
- details of monitoring and adaptive management

(previously discharged details to be submitted and condition to refer to approved details)

15. No works to the ditch network within any Phase of the development shall take place until a detailed scheme of the proposed alterations to the ditches within that Phase has been submitted to and approved in writing by the local planning authority. The scheme shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority. The scheme shall include the following:

- scaled plan and section drawings of channel profiles

- details of how profiles and features have been incorporated to maximise ecological benefit
- details of the design of the reed bed pond
- details of the design of the sedge bed wetland

(previously discharged details to be submitted and condition to refer to approved details)

16. No construction of the proposed bridges shall take place until such time as the Technical Approval process as specified within BD 2/12 of the Design Manual for Roads and Bridges has been completed in regards of the proposed 5 Highway Bridges (HW01-05) and written confirmation has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority *(previously discharged details to be submitted and condition to refer to approved details)*.
17. No Phase of the development except remediation, demolition, archaeological and drainage works for which planning permission is hereby granted, shall take place until a schedule of materials for that Phase, including for hard and soft landscaping, has been submitted to and approved in writing by the Local Planning Authority.
18. No Phase of the development shall commence until the implementation of a programme of archaeological mitigation works within that Phase has been secured in accordance with a written Archaeological Mitigation Strategy and timetable which have been submitted to and approved in writing by the Local Planning Authority *(previously discharged details to be submitted and condition to refer to approved details)*.
19. No dwelling shall be first occupied in any phase of development until a Residential Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Residential Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Residential 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.
20. No dwelling shall be first occupied until covered and secure cycle parking spaces serving that unit have been provided in accordance with plans and details that shall be submitted to and approved by the Local Planning Authority.
21. No dwelling shall be first occupied until the car parking serving that unit has been constructed in accordance with the approved plans. These spaces shall thereafter be retained at all times for their designated purpose.
22. No dwellings shall be occupied unless and until the existing helicopter circuits have been altered and implemented in accordance with the recommendations of York Aviation in its Technical Summary Note dated 7th September 2018 and details of the altered circuits shall be submitted to and approved in writing with the Local Planning Authority in consultation with the airport operator.

Regulatory

23. No development beyond the construction of the slab level for the approved residential dwellings hereby granted permission shall take place until a scheme for nature conservation enhancement has been submitted to and approved by the Local Planning Authority. The scheme shall be fully implemented in accordance with the approved details prior to occupation and retained as such thereafter.
24. The 190th dwelling shall not be occupied unless and until the Country Park has been completed in accordance with the approved plans.
25. No dwelling shall be occupied unless and until the new roundabout onto the A27 has been constructed and has been opened for use by the public.
26. No dwelling shall be occupied until vehicular access from Hayley Road has ceased from which point it shall be limited to use by cyclists, pedestrian's buses or emergency vehicles only.
27. The hours of construction to implement the development hereby permitted shall be limited to 0800 to 1700 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and there shall be no working on Sundays or Bank/Public Holidays.

Informatives:

Drainage

Further detail regarding our requirements are available on the following webpage:

<https://www.adur-worthing.gov.uk/planning/applications/submit-fees-forms>.

A surface water drainage checklist is available on this webpage. This clearly sets out our requirements for avoiding pre-commencement conditions, or to discharge conditions"

"Under Section 23 of the Land Drainage Act 1991 Land Drainage Consent must be sought from the Lead Local Flood Authority (West Sussex County Council), prior to starting any works (temporary or permanent) that affect the flow of water in an ordinary watercourse. Such works may include culverting, channel diversion, discharge of flows, connections, headwalls and the installation of trash screens.

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

"Further details regarding our requirement for independent surface water drainage verification reports are available on the following webpage:

<https://www.adurworthing.gov.uk/planning/applications/submit-fees-forms>.

A surface water drainage verification condition guidance note is available on this webpage. This clearly sets out our requirements for discharging this condition.

Homeowners Welcome Pack & Marketing

The applicant is requested to ensure that in marketing the new homes the presence of the airport is made known to potential occupiers. In addition all welcome packs should include information about Shoreham Airport including details of flying times and restrictions and relevant flying and helicopter training circuits.