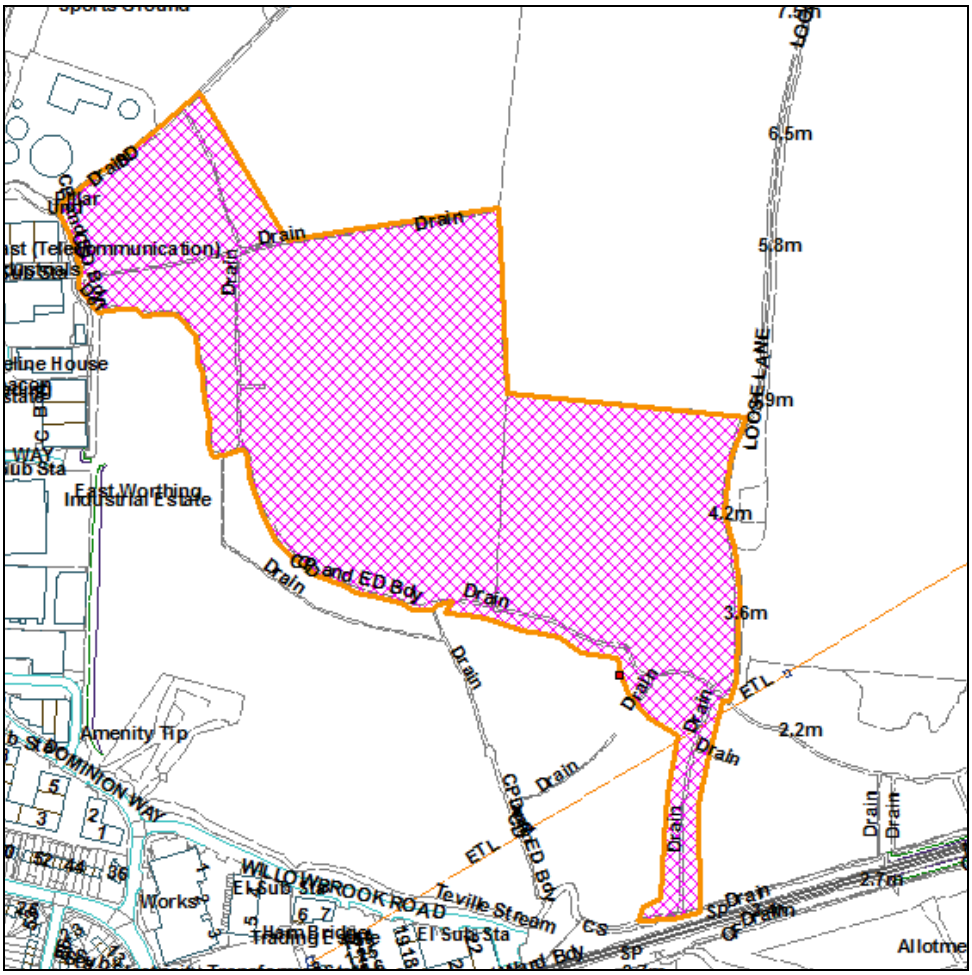
Application Number: AWDM/1375/17 **Recommendation – APPROVE**

Site: **Land South of Loose Lane, Sompting**

Proposal: **Restoration of upper section of the Broadwater Brook tributary of the Teville Stream involving the excavation of a new channel, construction of three silt traps, part infill of existing channel and restoration of surrounding land.**

Applicant: Ouse and Adur Rivers Trust Ward: Peverel

Case Officer: Peter Barnett


Drain
Drain
Drain

Proposal, Site and Surroundings

This Major application (more than 1ha site area) relates to an area of relatively flat, open arable farmland between Worthing and Sompting, to the north and east of the industrial estate on the east side of Worthing. The application affects primarily land within Adur, but with a small section within Worthing Borough and two separate applications have been submitted (AWDM/1265/17 and AWDM/1375/17).

The Teville Stream runs through the site, draining the catchment area of Worthing, via a culvert which lies adjacent to an historic landfill area at Decoy Farm. It is proposed to divert the stream from its current culverted position to a more natural form with the aim of improving the ecology and water quality of the stream. It will involve excavating 580m of new channel within Adur District running north-south to include the construction of a series of three silt traps at the upstream extent. A further 420m of existing channel, currently drainage ditches, will be modified to become the downsteam extent of the new watercourse. Permission was previously been granted for a similar development in 2011 but the current proposal is for less extensive works.

The existing culvert, which is within Worthing Borough, is accessed from Deacon Way. It is to be closed off and retained as a receiving area for surface water run-off only. The open channel running from the Deacon Way culvert to the proposed new channel will remain as a backwater habitat.

The diversion of the watercourse, and the construction of three silt traps for silt removal and water quality improvement, will create spoil which it is proposed to redistribute evenly over the adjacent field, and to restore the access track and other restoration as a result of vehicle movements associated with the works. This will also assist in the remediation of the Giant Hogweed by removing contaminated soil and by burying seeds too deep to germinate.

Access will be from an existing farm track at the end of Loose Lane, within Adur District rather than from Dominion Way as previously approved. This removes the risks associated with using the Decoy Farm landfill site as a route of access, the potential of spreading invasive species into the development site and the need to construct a temporary bridge crossing from Decoy Farm onto the development site. A site compound with site offices and plant storage area will be located within the site to the south west of Loose Lane.

The aim of the project is to restore the watercourse and to open the area to public access with a new footpath to run alongside the stream linking Loose Lane with Deacon Way. A bird hide is proposed to be provided in the SE corner of the site.

Relevant Planning History

AWDM/1111/12 Restoration of the Teville Stream involving excavation of a new channel, creation of reed beds, infill of existing culvert and restoration of surrounding land - approved

AWDM/1113/12 Restoration of Teville Stream involving construction of a works compound and access via Dominion Way, construction of a new channel and construction of an earth mound to block the existing Teville Stream culvert adjacent to Deacon Way - approved.

Consultations

West Sussex County Council*:* The ***Ecologist*** has no objection.

Adur & Worthing Councils*:* The ***Engineer*** fully supports the application. Members need to be made aware of the changes that will occur to the Teville Stream upstream of the railway line.

The Teville Stream is classed by the EA as Main River and currently runs via a culvert from Deacon Way to Willowbrook Road where it becomes an open ditch flowing past the new WSCC waste site before flowing under the railway and ultimately to Brooklands Lake.

These proposals will remove nearly all flow from the culvert; however there are connections into the culvert so, during periods of heavy rain, water will still flow south. Nevertheless the length of ditch alongside Willowbrook Road will in effect become a backwater with little or no flow.

At times of very heavy rain the 16.0m long earth bund shown on the planning drawing could feasibly (very unlikely) be overtopped allowing flow through the culvert and ditch.

Therefore whilst partially decommissioned these two assets remain the responsibility of WBC and maintenance will still be required upon them. However none of the proposed ditch system will fall under WBC to maintain, we will however inspect them as they feed into Brooklands Lake.

The ***Environmental Health*** Officer recommends a full contaminated land investigation.

Environment Agency: To be reported

Natural England: No comments. Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Southern Water: No adverse comments but exact position of public sewers must be determined by the applicant.

Sompting Parish Council: Support

Representations

None received

Relevant Planning Policies and Guidance

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AC1, AC4, AC5, AB1
Submission Adur Local Plan (ADC 2016) Policies 31, 32, 36
National Planning Policy Framework (CLG 2012)

Relevant Legislation

The Committee should consider the planning application in accordance with:
Section 70 of the Town and Country Planning Act 1990 (as amended) that provides the application may be granted either unconditionally or subject to relevant conditions, or refused. Regard shall be given to relevant development plan policies, any relevant local finance considerations, and other material considerations; and
Section 38(6) Planning and Compulsory Purchase Act 2004 that requires the decision to be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Assessment

Principle

The enhancement of the area and the improvement of the water quality and ecology of the stream are positive outcomes that should be supported in principle. The proposed footpath would eventually connect with the future allocated development on land at West Sompting to provide a link to Worthing across the Local Green Gap, one of the aims of Policy.

Visual amenity

The works will result in an enhancement of the landscape through the addition of an open, sinuous watercourse.

The redistributed spoil would have little impact in the wider landscape, being evenly spread over the surrounding land and used in the construction of habitat features on the site. Overall, the works will enhance the area providing an amenity asset for the public.

Ecology and Sustainability

There are slow worms and grass snakes on the site and the works are likely to be of a relatively short duration. Once completed the scheme will provide better and more extensive habitats for reptiles (and other species). Given these factors a suitable

mitigation scheme only really needs to address the risk of harming reptiles during the works and these have been set out satisfactorily in a supporting document.

Despite most of the waterbodies being dry or having very little permanent water during 2017 it is likely that the populations of Smooth newts, Palmate newts, Common frogs and Common toads previously recorded still remain within the project area. However these species may only occur in quite low numbers given the current poor quality of the various waterbodies. Great crested newts were not detected in the 2012 survey and may be less likely to be present, due to Stickleback presence in at least two of the ditches during 2012.

The stream is currently failing its waterbody objectives due to extensive culverting and poor water quality provided by its urban catchment and proximity to a landfill and industrial estates. The proposal would improve the morphology (form, shape) of the watercourse, improve its water quality and improve its overall ecological status to the benefit of the wider area.

There is no objection to the proposal from the County Ecologist.

Accessibility and parking

Construction access shall be from an existing farm track heading south off Loose Lane. It is not anticipated that this proposal will generate levels of traffic likely to have a significant impact on highway safety or capacity.

Residential amenity

There are no dwellings in the proximity of the site. Those close to the access are not expected to be adversely affected by the short term impact of the construction traffic.

Contaminated land

The proposed route of the new stream comprises natural soils although a naturally occurring higher area of contamination was found within one section. This is to be dealt with by means of lining the channel with clay to ensure protection of ecological receptors. No contamination was found as a result of the proximity of the Decoy Farm landfill site or industrial estate.

The site contains Giant Hogweed, a non-native invasive species and it is an offence to allow it to grow in the wild. The proposed works have the potential to cause the spread of giant hogweed and, as such, a management plan has been prepared to ensure that it is removed and disposed of carefully and effectively.

Archaeology

No archaeological features were found during an initial survey of the site. However, it is recommended that a programme of archaeological work should be carried out prior to work commencing on site.

Flood Risk

The site is located within Flood Zones 3a and 3b where water compatible development such as proposed is appropriate. The impact of constructing the new channel and maintaining the existing culvert will be to increase the overall capacity of the river systems in relation to flood flows to the benefit of several industrial properties nearby.

In conclusion, it is considered that there are no adverse impacts on flood risk associated with the scheme.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Contamination
4. Surface water and pollution prevention measures
5. Archaeology
6. Restoration of land on completion