

Recommendation Report for Planning Permission

REF NO: AL/103/18/PL

LOCATION: L'Apache
Westergate Street
Westergate
PO20 3SQ

PROPOSAL: Erection of 2 No. dwellings & alterations to existing dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This planning application comprises the development of two semi-detached houses, both accommodating 3 bedrooms, located on garden land to the east of the existing dwelling, known as "L' Apache". The proposed development also includes alterations to the existing bungalow ("L' Apache") including all new windows and doors in the existing openings, the existing columns on the western elevation are to be replaced, a porch is to be removed on the northern elevation, a porch on the eastern elevation is to be removed and the opening is to be infilled to match the existing brickwork, and an existing extension is to be removed on the eastern elevation and the wall is to be extended and made good. The two semi-detached houses would each have 2 car parking spaces; and the existing dwelling would retain 4 car parking spaces. The application includes a landscaping scheme, comprising native and ornamental tree planting and ornamental shrub and hedgerow planting. The existing outbuildings on the site, including a static caravan, would be demolished.
SITE AREA	0.34 hectares.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	15 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Boundaries consist of 1.8 metre high close boarded fencing to the west and north and post and wire/two bar ranch fencing to the south and east.

SITE CHARACTERISTICS

The application site comprises a detached pitched roof bungalow constructed of brick with concrete roof tiles with a conservatory at the southern end, which is set within a large plot and with several outbuildings and a static caravan. There is a small palm tree within the site and then a row of mature trees just beyond the northern boundary. There is an existing double garage and off-street space for the parking of up to 6 cars. The site is accessed by a private access road which is subject to a speed limit of 30 mph, and the private access road has a junction with the A29 Lidsey Road (Westergate Street) to the west.

CHARACTER OF LOCALITY

The site lies on the edge of the settlement of Westergate with open agricultural fields to the immediate east and a railway line to the south. The closest neighbouring property is Caigers Lodge to the west, which is a bungalow, with a large car port structure on the boundary towards the front and a large garage behind. The rear garden of Caigers Lodge also wraps around the northern boundary of the site and there is a barn building within this land.

RELEVANT SITE HISTORY		
AL/43/87	Lounge extension to existing bungalow, demolition of existing garage and erection of 1 bedroom granny annexe with double garage and courtyard	ApproveConditionally 26-08-87
AL/108/89	Provision of pitched roof, over flat roofed area at rear of property	ApproveConditionally 18-12-89
AL/49/95	Toilet extension and conservatory	ApproveConditionally 02-10-95
AL/59/97	Change of use of agricultural land to garden land to be used by adjoining property	App Cond with S106 16-01-98
AL/8/04/CLE	Application for a Certificate of Lawfulness for an existing use as a residential caravan	Refused 02-04-04

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Aldingbourne Parish Council has no comment to make on this application.

Three letters of representation have been received from a local resident objecting to the proposed development on the following grounds:

- The access to the application site is via a narrow unmade track, which deteriorates rapidly through the winter months with large potholes and the surface is washed away by lack of drainage.
- The access track lacks sufficient sightlines onto Lidsey Road (the A29).
- The access track is unsuitable for use by construction vehicles and fuel delivery vehicles.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and issues addressed in the Conclusions section.

CONSULTATIONS

Southern Water Planning
Engineering Services Manager
Engineers (Drainage)
WSCC Strategic Planning
Environmental Health
Arboriculturist
Parks and Landscapes
Ecology Advisor

CONSULTATION RESPONSES RECEIVED:

LOCAL HIGHWAY AUTHORITY:

No objection.

The Local Highway Authority does not consider that the proposed development would have a 'severe' impact on the operation of the highway network, and there are no transport grounds to resist the proposal. Conditions are requested relating to vehicle parking and turning and cycle parking.

SOUTHERN WATER:

No objection.

There is a public foul sewer within the access to the site. The exact position of the public foul sewer must be determined on site by the applicant before the layout of the proposed development is finalised. It is possible that a sewer could be crossing the site. Should any sewer be found during construction works, an investigation of the sewer would be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer. The applicant will need to ensure that arrangements exist for the long term maintenance of the SuDS facilities.

ADC DRAINAGE:

No objection, subject to the imposition of conditions.

Winter groundwater monitoring should be completed to ensure that the base of infiltrating structures is set above the maximum groundwater level. Infiltration rates for soakage structures are to be based on

percolation tests undertaken in the winter period and at the location and depth of the proposed structures. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. Conditions are requested relating to surface water drainage.

ADC ENVIRONMENTAL HEALTH:

No objection.

Given the close proximity to other houses, a condition is requested restricting construction activities to protect neighbouring residential amenity.

ADC GREENSPACE:

No objection.

As this is a small residential development proposal there is no requirement for Public Open Space or play contributions. A planting plan has been submitted which provides information in sufficient detail and proposed a scheme containing native species which would be suitable for the location in species choice, size and planting density.

ADC ECOLOGICAL ADVISOR:

No objection.

The lighting scheme for the site would need to take into consideration the presence of bats in the local area. Continued management of the site must take place to ensure reptile habitat does not develop on the site. Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and issues addressed in the Conclusions section.

POLICY CONTEXT

Designation applicable to site:

Outside the Built up Area Boundary (BUAB).

DEVELOPMENT PLAN POLICES

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
HSP1	HSP1 Housing allocation the housing requirement
HSP2	H SP2 Strategic Site Allocations
HSP2C	H SP2c Inland Arun
INFSP1	INF SP1 Infrastructure provision and implementation
TDM1	T DM1 Sustainable Travel and Public Rights of Way
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development

SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WSP1	W SP1 Water

Aldingbourne Neighbourhood Plan 2016 POLICY EH1

	Resist development outside
Aldingbourne Neighbourhood Plan 2016 POLICY EH2	Support adjacent to biodiversity corridors only if demonstrate no harm.
	Green infrastructure and Ecosystem services
Aldingbourne Neighbourhood Plan 2016 POLICY EH10	Unlit village status
Aldingbourne Neighbourhood Plan 2016 POLICY EH6	Protection of trees and hedgerows
Aldingbourne Neighbourhood Plan 2016 POLICY GA1	Promoting Sustainable movement
Aldingbourne Neighbourhood Plan 2016 POLICY H2	Range of house types
	Housing Mix
Aldingbourne Neighbourhood Plan 2016 POLICY H3	Housing density
Aldingbourne Neighbourhood Plan 2016 POLICY H8	Dwellings must have adequate private or shared amenity.
	Outdoor space
Aldingbourne Neighbourhood Plan 2016 POLICY H9	Items to consider e.g. - bin stores
	Attention to detail

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011-2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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

The Neighbourhood Development Plan:

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

the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton; Ford.

Relevant Aldingbourne Neighbourhood Plan (NP) policies have been taken account of and are addressed in the Conclusions section of this report.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The BUAB boundary has been revised and the proposal is considered to be acceptable in accordance with the newly adopted Local Plan as it is located within the Barnham, Eastergate and Westergate (BEW) strategic allocation.

The proposed development is located outside the built up area boundary (BUAB) of Westergate as drawn in the Neighbourhood Plan, but the new BUAB boundary in the adopted Local Plan prevails over the outdated NP.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE:

The development plan for Arun District currently comprises the Arun District Local Plan (2011-2031), which was adopted by the Full Council on 18th July 2018 and the Aldingbourne Neighbourhood Plan (2014-2029).

Policy H SP1 of the Local Plan sets out the overall provision of 20,000 new homes through the Local Plan phased over the plan period to 2031. This Policy allocates 2,300 units to be provided in the Barnham / Eastergate / Westergate (BEW) strategic allocation (SD5) within the Plan period. The application site, comprising land off Westergate Street which is occupied by a bungalow ("L'Apache") constitutes part of the BEW strategic allocation in Policy H SP1.

Policy H SP2 of the Local Plan says that "Development proposals within the Strategic Site Allocations must be comprehensively planned". As the site is located with the BEW strategic allocation, the applicant sought pre-application advice to confirm whether there was a requirement for the site to be included in the masterplanning that will be required for the allocation as a whole. The advice provided was that it would not be appropriate for a site of this size, in this location, to be included in the wider site masterplan. On the basis of this advice, the applicant has not provided any evidence to demonstrate that

the proposal accords with the requirement for a comprehensive masterplan required by Policy H SP2. However, the pre-application advice provides mitigating reasons for not following the requirement of Policy H SP2 in this instance.

Notwithstanding this, the site is located to the west of the proposed residential scheme currently under consideration on Land East of Westergate (AL/15/17/PL) and south of the proposed scheme on Land East of Orchard Gardens (AL/129/18/OUT). The proposed site layout for the Land East of Westergate on the adjacent part of the site, whilst only outline, indicates a similar alignment of properties as the two additional dwellings proposed, facing towards the south. Some properties on the East of Westergate indicative layout as shown with properties facing the proposed gardens but any potential for overlooking could be addressed at the reserved matters stage when the detail layout is considered.

Due to the private ownership of the access track to L'Apache, it would not be possible to secure any joined up vehicular access between the two sites, although the layout of this application does not prejudice this option. Any future pedestrian and cycle access between the private access track and the wider site to the east would also not be prejudiced, as the continuation of the track to the east is outside the application boundary and not effected by the proposal.

The site to the north, East of Orchard Gardens, is physically separated from the application site by other land in the applicant's ownership and the rear garden of another property. Therefore, there would not be any opportunities for any links between two sites.

Policy H SP2c sets out specific requirements for the BEW allocation in terms of key design and infrastructure requirements. Due to the small size and location of the site, the key design aspects set out in the policy are too high level to apply to this proposal.

The expectation is also that the key infrastructure required to be delivered under Policy H SP2c will come forward on the larger parts of the site. However, the cost of the infrastructure, including strategic highway improvements, will need to be funded through proportional developer contributions from applications as they come forward (e.g. towards education, healthcare etc.). The applicant is not proposing to make any contributions towards infrastructure and no contributions have been requested by consultees. In addition, the wider Consortium for the larger part of the strategic allocation has not raised any objections on the lack of contributions from this scheme. As the scheme is only proposing two additional units, this would not result in any significant loss of funding towards the overall infrastructure required to be provided in relation to the allocation as a whole. Therefore, whilst not meeting the key design and infrastructure requirements of Policy H SP2c, the small size of the site, combined with its location, means that the scheme is acceptable.

Consequently, it is considered that the number of dwellings and the size of the area, occupied by the planning application occupying 0.34 hectares, and comprising the retention and the making of alterations to the existing dwelling and the construction of two new semi-detached houses are considered to be acceptable as part of the Barnham, Eastergate and Westergate (BEW) strategic allocation. The proposed development of two houses on the site would not impact adversely on the layout of the proposed residential developments on the CALA site or on Land East of Orchard Gardens (AL/129/18/OUT).

The Aldingbourne Neighbourhood Plan (NP) was made (adopted) in November 2016 on the basis of the saved policies in the former Arun Local Plan (2003) and the policies in what was the emerging Local Plan in 2014. Map E of the Aldingbourne NP includes a BUAB drawn around the settlement of Westergate which includes most of the properties fronting this private access road except for Caigers Lodge and the application site. The site is located outside the built-up area boundary as identified in the Neighbourhood Plan. The application site is therefore classed as countryside by the Aldingbourne NP; and this planning application (AL/103/18/PL) is therefore contrary to Policy EH1 of the Aldingbourne NP.

Policy EH1 of Aldingbourne NP says that development outside of the built-up area boundary, that does not accord with development plan policies in respect of the countryside, will be resisted unless it is for essential utility infrastructure, where the benefits outweigh any harm, and it can be demonstrated that no reasonable alternative sites are available.

Although the western edge of the site lies only a few metres from the edge of the defined built up area, the proposed development would nevertheless conflict with Policies EH1 of the Aldingbourne NP as the proposal would fail to protect countryside in accordance with this policy.

The test in Section 38(5) of the Planning and Compulsory Purchase Act, 2004: "If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document". As the Arun Local Plan was adopted by the Council on 18th July 2018, the policies in the Local Plan are to be considered in favour of those in the Neighbourhood Plan. Consequently, the proposed development is contrary to the Neighbourhood Plan, but the BUAB boundary has been revised and the proposal is considered to be acceptable in accordance with the newly adopted Local Plan.

Section 106 Agreement

A Section 106 Agreement accompanies planning permission AL/59/97 which restricts the use of the land immediately east of the existing dwelling to open garden land ancillary to the residential use of L' Apache and not to plant any tree, shrub, bush, flower or other plant other than grass and vegetables on the property without first obtaining the Council's written approval. The proposed development of two houses on the land that is subject to the S106 Agreement is considered to be acceptable, due to the small number of houses proposed on the site and the scale of the development; and the fact that the site is now within the BEW strategic allocation and the S106 Agreement effectively restricts development residential development taking place on a small parcel of land within the BEW allocation.

It is considered that the S106, whilst material, does not lawfully prevent the LPA from issuing a decision, this will go with the land until such time as it is discharged. The applicant has been invited to submit a PO application following the granting of planning permission for the current application (AL/103/18/PL) as following approval it will no longer serve a 'useful planning purpose'. The justification for this will then be that development of the site has been found to be acceptable as permission has been granted for its re-development. For completeness, an informative is being inserted to highlight that planning permission could not be lawfully implemented until the S106 is discharged.

Conclusion on Principle

It is considered that the size and scale of the proposed development, comprising of 2 additional houses and the alteration to an existing house on land within part of the BEW strategic allocation does not justify the need to masterplan the application site. If the proposed development had involved the development of 5 or more new houses on the site then there would clearly have been the need to masterplan the site, due to the amount of land occupied by 5 or more houses and the infrastructure provision required to service 5 or more dwellings. There would still be conflict with the Aldingbourne NP. However, it is considered, having regard to section 38(5) of the Planning and Compulsory Purchase Act 2004 that this conflict should be resolved in favour of the more recent newer Arun Local Plan 2011-2031. Therefore, the principle of residential development in this location would be acceptable.

TECHNICAL MATTERS

SCALE AND BUILDING HEIGHTS

Policy D DM1(14) of the Local Plan says: "the scale of development should keep within the general confines of the overall character of a locality unless it can be demonstrated that the contrary would bring

a substantial visual improvement".

The dwelling types in the vicinity of the application site in Westergate are a mixture of two-storey and some bungalows. The two proposed semi-detached houses would fit in with the scale of the buildings in this part of Westergate. The juxtaposition of the two semi detached houses alongside the existing bungalow works in visual terms as the impact of the height of the roof of the semi-detached houses is mitigated as the pitch of the roof sweeps down on the western elevation towards the bungalow. The scale and heights of the new houses would be in scale with the surrounding area and address the concerns raised at the pre-application stage. The proposed development complies with Policy D DM1 and Policy D SP1 of the Local Plan in terms of the scale and building heights.

SITE LAYOUT

Policy D DM1(10 Layout - legibility) of the Local Plan requires any application for development "deliver or contribute to the ease of navigation within a new or existing development scheme through use of focal points (landmarks, gateways, vistas, corner buildings, active edges, existing topography), and/or a variety of detail within the public realm (sculpture, planting, street furniture, building materials, building details, signage)".

The layout of the two semi-detached houses alongside the existing bungalow ("L' Apache") is considered to be visually acceptable. There is sufficient space within the application site to accommodate the layout of the 2 semi-detached houses with their associated domestic curtilages including rear gardens and car parking spaces at the front of the properties. It is considered that the proposed layout is in accordance with Policy D DM1(10) of the Local Plan.

DESIGN AND APPEARANCE

Policy D SP1 (Design) of the Local Plan says: "all development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details".

Policy D DM1(2 - appearance/attractiveness) of the Local Plan requires applications to "demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area".

Policy H1 of the Aldingbourne NP says: "proposals for new housing or extending or altering existing dwellings should be of a high quality design that reflects the local character and reinforces local distinctiveness. Proposals must demonstrate how they meet the policies set out in the Plan". Policy H9 of the NP says: "The following items must be considered early in the design process and integrated into the overall scheme: bin stores and recycling facilities; cycle stores; meter boxes; lighting; flues and ventilation ducts; gutters and pipes; and satellite dishes and telephone lines".

Paragraph 124 of the new NPPF says: "the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities". Paragraph 130 of the new NPPF says: "permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions".

The proposal to construct semi-detached houses with double hipped gables on the front and rear elevations would create a visually distinctive and attractive development. It is considered that the design and appearance of the two semi-detached houses would enhance the design and appearance of the built environment in the adjacent residential area, by the introduction of two contemporary designed houses on the eastern edge of Westergate. The distinctive appearance of the front and rear elevations of the

two proposed semi-detached houses would add to, and enhance the local distinctiveness of the adjacent housing.

The proposed construction materials and finish of the semi-detached houses and the alterations to the existing dwelling at L' Apache need to be of the highest quality. Consequently, it is considered appropriate to impose a condition requiring the submission of materials, in the interests of amenity by endeavouring to achieve buildings of high visual quality in accordance with Policy D SP1.

The design and appearance of the two semi-detached houses, together with the alterations to the existing bungalow are in accordance with Policy D SP1 and Policy D DM1 of the Local Plan, Policies H1 and H9 of the Aldingbourne NP and paragraphs 124 and 130 of the NPPF.

DENSITY

Policy H3 of the Aldingbourne NP says: "the density of new development shall be appropriate to its location by virtue of its size, siting and relationship to existing properties". The proposed density amounts to 15 dwellings per hectare, which is considered to be acceptable, bearing in mind the density of the built development along the access track, off Westergate Street, in compliance with Policy H3 of the NP.

AMENITY SPACE

Policy H8 of the Aldingbourne NP states that "All new dwellings must include an outdoor amenity space of adequate size and quality, either as a private garden or shared amenity area."

Therefore, the LPA currently does not have size standards in respect of private gardens. The proposed rear gardens of the two semi-detached houses on Plots 1 and 2 would measure 18 metres in length which is considered to be acceptable. The rear garden of the existing dwelling ("L' Apache") would measure 11 metres which is also considered to be acceptable.

Consequently the proposed development complies with Policy H8 of the Aldingbourne NP which specifies that dwellings must have adequate private or shared amenity space.

The internal space standards of the two proposed dwellings would comply with the Nationally Described Space Standards and would therefore be in accordance with Policy D DM2 of the Local Plan.

TRANSPORT

Policy T SP1 of the Local Plan says that "to ensure that growth in the District strengthens Arun's economic base, reduces congestion, works to tackle climate change and promotes healthy lifestyles; the Council will ensure that development: provides safe access on to the highway network; contributes to highway improvements and promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network".

Site Access

The proposed development would be accessed along the existing private access lane leading off of Lidsey Road (Westergate Street). The applicant has submitted a Transport Note with the planning application, which confirms that the current access lane which serves "L' Apache" and the other 4 dwellings would remain the same for the proposed development. The existing vehicular visibility at the junction of Lidsey Road (Westergate Street) is considered to be sufficient by both the Local Highway Authority and the LPA, bearing in mind the 30 mph speed limit along Lidsey Road.

A local resident has objected to the site access along a narrow unmade track, claiming that the track lacks sufficient sightlines onto Lidsey Road and is unsuitable for use by construction vehicles and fuel delivery vehicles. The Local Highway Authority has raised no objection to the application site being

accessed off the existing access track. The track is accessed on a weekly basis by waste refuse vehicles and by delivery vehicles. The maintenance of the private access track is the responsibility of the owner of the land.

There is a level crossing located immediately south of the junction of the private access lane with Lidsey Road, and consequently, vehicles travelling along Lidsey Road are not anticipated to be exceeding the speed limit in this location.

The applicant is proposing in the Transport Assessment to re-instate the faded 'Keep Clear' markings on the carriageway of Lidsey Road adjacent to the private road access, so as to ensure that vehicles queuing back from the level crossing do not block the entrance/egress from the access road. The re-instatement of the 'Keep Clear' signs would need to be achieved by means of a condition.

In terms of site access and the need for east-west connections into the main part of the BEW strategic allocation, the proposal to use the existing private access lane off Lidsey Road (Westergate Street) to serve the application site would not compromise the layout of any future development on the main part of the BEW strategic allocation site.

The use of the existing private access lane and the junction onto Lidsey Road is therefore considered to be acceptable in terms of road/junction layout, and is in accordance with Policy T SP1 of the Arun Local Plan.

Parking Provision

Policy GA3 is also relevant and requires that parking be provided in accordance with the standards adopted at the time. The proposed development includes 2 car parking spaces per each of the 2 new dwellings in compliance with the WSCC Parking Standards. The parking spaces measure 2.4 x 4.8 metres, in compliance with the requirements in the Manual for Streets. The existing bungalow ("L' Apache") would retain the existing double garage and parking for 4 cars, and turning space within the domestic curtilage. Consequently, a total of 8 parking spaces are proposed to be provided, to serve all three houses on the application site.

There is sufficient space for vehicles to turn within the application site and exit in a forward gear, without reversing onto the highway.

Public Transport

Policy T DM1 of the Local Plan says: "New development must ensure ease of movement, prioritising safe pedestrian and cycle access to the green infrastructure network and access to public transport. Access to alternative modes of transport including public transport services, the public right of way and cycle networks, must be available and accessible to all members of the community". "Proposals for all new development must be located within easy access of established public transport services, existing pedestrian and cycle networks, the committed and aspirational cycle networks and the green infrastructure network which links the development with key destinations including places of work, education, leisure and town centres" (Policy T DM1(a)).

Policy GA1 of the Aldingbourne NP seeks to promote sustainable (non-car) forms of transport and it requires new development to be located in places accessible to public and community transport and says that proposals that increase travel demand are to be located in places accessible to public and community transport. The application site is accessible to public transport as it is in close proximity to bus stops on Lidsey Road (Westergate Street); and to the railway station at Barnham.

There are bus stops located in close proximity to the application site along Lidsey Road (Westergate Street). The bus stops provide connections to Bognor Regis railway station and Barnham railway station,

and to Walberton, and the retail foodstores on Shripney Road at Bersted. The proposed development is well served by bus stops in proximity to the site but the frequency of services is limited. The Inspector for an appeal (APP/C3810/A/13/2196029) on the Woodgate Centre, close to the proposed site (although south of the railway crossing), commented that 'the relative infrequency of the bus service would make travel by car a more popular choice'. The infrequent services would also mean that using bus services to connect to the train services would be problematic. The sustainability of the application site will improve when the main part of the Barnham/ Eastergate/ Westergate strategic allocation is brought forward for development; including a new A29 route through the allocation, with a regular bus services. The proposed development is in accordance with Policy T DM1 of the Local Plan and Policy GA1 of the Aldingbourne NP in terms of access to public transport.

Footways and Cycleway Provision

Policy T SP1 of the Local Plan says: "The Council will support transport and development which gives priority to pedestrian and cycle movements".

There are 1.5 metre wide pavements on both sides of Lidsey Road; and the application site is located within walking distance of a number of services and amenities including the village store, primary school and nursery school in Westergate. The future infrastructure improvements that will be delivered as part of the BEW strategic development will ensure that new services and amenities are provided even closer to the application site than the existing services in Westergate and Eastergate.

The two proposed semi-detached houses need to include secure cycle storage, which could take the form of garden sheds. A condition is considered to be necessary for the provision of cycle parking within the domestic curtilages of the two semi-detached houses.

Consequently, subject to a cycle parking condition, the proposed development is in accordance with Policy T SP1, Policy T DM1(a) and Policy H SP2(a) of the Local Plan and Policy GA1 of the Aldingbourne NP.

OPEN SPACE PROVISION

Policy OSR DM1(2a) of the Local Plan says: "housing will be required to contribute towards open space provision in accordance with guidance set out in the current Open Space Study. In some parts of the district open space provision is identified as being sufficient in terms of quantity. Therefore, provision of new open space is not deemed necessary but what is needed is to seek contributions for quality improvements and/or new off-site provision in order to address any future demand."

A scheme of less than 7 dwellings would not attract an off-site play space contribution; and the proposed development is for the construction of two semi-detached houses. ADC Greenspace has confirmed that there is no requirement for public open space on the site or for off-site play space contributions.

The proposed development is acceptable and Policy OSR DM1(2a) of the Local Plan does not apply.

LANDSCAPING

Policy LAN DM1 of the Local Plan states that: "Development throughout the plan area should respect the particular characteristics and natural features of the relevant landscape character areas and seek, wherever possible, to reinforce or repair the character of those areas."

A landscape scheme has been submitted with the planning application detailing species choice, position, densities and size at time of planting. The scheme includes the planting of 6 native trees and 3 ornamental trees, all measuring between 3.5 and 4.25 metres high, hedgerows and ornamental shrubs; which would ensure that appropriate screening is provided, and that the proposed development fits in with the neighbouring residential properties. ADC Greenspace is satisfied with the proposed landscaping

scheme.

The proposed landscaping is considered to be acceptable and complies with Policy LAN DM1 of the Local Plan.

TREES

Policy ENV DM4 of the Local Plan requires developers to provide land and tree surveys (d), a tree constraints plan (e) and an Arboricultural Impact Assessment (AIA) to include a tree protection plan and Arboricultural Method Statement (f), which will ensure that development is planned to take a comprehensive view of tree issues at an early stage in the design process and that development works do not have a negative impact on existing trees.

The Aldingbourne NP includes Policy EH6 whereby "proposals which affect sites with existing trees or hedgerows should be accompanied by a survey that establishes the health and longevity of any affected trees or hedgerows and a management plan to demonstrate how they will be so maintained".

A Tree Protection Plan has been submitted as there are a number of trees along the northern boundary of the site, which have been assessed and considered as part of the layout of the proposed residential development. The applicant is not proposing to remove any existing trees which screen the site from the north and provide a landscape buffer. The proposed siting and layout of the two new houses on the site would ensure sufficient garden area is provided beyond the root protection areas (RPAs) and the crown of the trees growing along the northern boundary of the application site.

It is considered that the proposed development is acceptable as the mature trees to the northern boundary of the application site are proposed to be safeguarded and protected.

The proposed development is in accordance with Policy ENV DM4 and Policy EH6 of the Aldingbourne NP.

ECOLOGY

Policy ENV DM5 of the Local Plan says "development schemes shall seek to achieve a net gain in biodiversity and protect existing habitats on the site. They shall also however incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats".

There is a biodiversity corridor which runs along the private access lane immediately south of the application site. Policy EH2 of the Aldingbourne NP says: "New development within or immediately adjacent to the Biodiversity Corridors will only be supported where it can be clearly demonstrate that development proposals will not give rise to any significant harm to the integrity or function of the Biodiversity Corridors". It is considered that the proposed quantum of development and the siting of the proposed housing on the application site would not cause any demonstrable or significant harm to the biodiversity corridor.

A Preliminary Ecological Appraisal was submitted with the planning application to determine the ecological constraints on the site. The Preliminary Ecological Appraisal confirmed the proposed development would result in the loss of amenity grassland and ornamental trees and shrubs. However, there is the opportunity to create and enhance new and existing habitats including bat roosting features and birds nesting features.

ADC Ecology has requested that the lighting scheme for the site takes into consideration the presence of bats in the local area; that continued management of the site must take place to ensure reptile habitat does not develop on the site; and that any works to the trees or vegetation clearance on the site should

only be undertaken outside of the bird breeding season.

Subject to the imposition of a condition ensuring the development is carried out in accordance with the recommendations and enhancements listed in the Preliminary Ecological Appraisal, the proposed development complies with Policy ENV DM5 and Policy H SP2(c) of the Local Plan.

LIGHT POLLUTION

Policy QE DM2 of the Local Plan emphasises the need to consider the impact of light on neighbouring uses and wider landscape, particularly with regard the South Downs International Dark Sky Reserve designation, light levels should be the minimum required for security and working purposes, and minimise potential glare and spillage.

Policy EH10 of the Aldingbourne NP states that "Development proposals which detract from the unlit environments of the Parish will not be supported. New lighting will be required to conform to the highest standard of light pollution restrictions in force at the time. Security and other outside lighting on private and public premises will be restricted or regulated to be neighbourly in its use including floodlighting at equine establishments and on sports fields or sports grounds."

It is considered that a lighting condition be imposed requiring the submission of details of luminaires that are more suitable to semi-rural areas on the fringes of built-up areas. This is reinforced by the Ecologist's request that the lighting scheme for the site will need to take into consideration the presence of bats in the local area through the use of directional light sources and shielding. Environmental Health has not raised an objection in terms of light emissions from the proposed residential development on existing residential amenity.

Consequently, subject to a lighting condition, it is considered that the proposed development complies with Policy QE DM2(a) to (d) of the Local Plan and Policy EH10 of the Aldingbourne NP.

NOISE QUALITY

The NPPF and Policy QE DM1 of the Local Plan emphasise that noise sensitive development will not be permitted if its users would be affected by noise by proposed noise generating uses.

A Noise Assessment has been submitted with the planning application as the railway line is located approximately 28 metres south of the front elevations of the two proposed new semi-detached houses. The Assessment recommends noise mitigation measures comprising enhanced thermal double glazing would be sufficient for the ground floor kitchens and living areas in both of the semi-detached houses. The bedrooms located on the southern elevation which overlook the railway line would require enhanced glazing and acoustic trickle vents.

The recommendations in the Noise Assessment requiring the provision of enhanced glazing and acoustic trickle vents in the southern elevation of the two new houses are considered to be necessary and they should be implemented by means of a condition.

ADC Environmental Health have requested a condition restricting the hours for carrying out construction activities so as to protect neighbouring residential amenity.

Therefore, subject to noise conditions restricting the hours for construction activities and ensuring mitigation measures are implemented as recommended in the Noise Assessment, the proposed development would be in accordance with Policy QE DM1 of the Local Plan and Policy H7 of the Aldingbourne NP.

RESIDENTIAL AMENITY

Policy D DM1(3) of the Local Plan says "have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance".

It is considered that there would be oblique views from the proposed semi-detached on Plot 1 into the rear garden of the existing house ("L' Apache"), however it is considered that this would not result in overlooking, or adversely affect the residential amenity of the existing dwelling which would be retained on the application site.

No first floor bedroom windows are proposed along the western elevation of the semi-detached house on Plot 1 which faces the existing dwelling ("L' Apache"). The first floor bedroom windows on Plot 1 are located on the northern and southern elevations and will not lead to any overlooking of the eastern elevation of the existing dwelling ("L' Apache"). The applicant is proposing to install velux windows to serve the first floor en-suite and the bathroom on the western elevation of the semi-detached house on Plot 1. Consequently, it is not considered necessary to impose a condition requiring obscure glazing on the western elevation of Plot 1.

There is the potential for a limited amount of overlooking of the existing garden at the rear of L' Apache from the first floor windows in the rear elevations of the two semi-detached houses, but it is considered that this would be at an oblique angle and should not result in direct overlooking.

The adjacent property (Caigers Lodge) to the west of the application site is a single storey bungalow with no roof accommodation and its existing ground floor windows are screened out by the existing boundary fencing and the neighbours own outbuildings. Therefore, there is no possibility for overlooking from the application site.

The siting of the new dwellings are set well away from the shared boundary such that there is no possibility of loss of light to the neighbours garden or overlooking from proposed first floor windows. The proposed layout also relates well to the residentially allocated land to the east - i.e. the main part of the BEW strategic allocation, due to the east / west orientation of the two proposed houses on the application site. The two proposed semi-detached houses do not turn their backs on the main part of the BEW strategic allocation.

Bearing in mind the built environment in the vicinity of the site and the design and appearance of the two proposed semi-detached houses which is considered to be high quality, it is considered necessary to impose a condition restricting permitted development rights. The removal of the permitted development rights by way of condition would ensure that the privacy and amenity of adjoining residents is safeguarded; and safeguard the cohesive appearance of the development, which is visually attractive.

The proposed development is considered to be acceptable in respect of residential amenity, in accordance with Policy D DM1(3) of the Local Plan.

SURFACE WATER FLOODING

The NPPF requires that development does not give rise to an unacceptable risk of flooding detrimental to human health or property. Policy W DM2 of the Local Plan requires the submission of a site specific Flood Risk Assessment (FRA) which demonstrates that the development will be safe without increasing flood risk elsewhere and reduce flood risk overall; consider flood flow routing and utilise temporary storage areas.

A surface water drainage strategy has been submitted with the application. As the existing site discharges into soakaways, the proposal is to construct two new soakaways to cater for the 1 in 100 year storm return period plus 40% for the two proposed new semi-detached houses. In addition, the new car

parking areas serving the two new semi-detached houses are proposed to be constructed using porous blocks, which would enable infiltration of surface water.

ADC Drainage has raised no objection to the proposed development, but has requested the imposition of a surface water drainage condition.

Subject to a surface water drainage condition, the proposed development is acceptable and it is in accordance with Policy W DM2 of the Local Plan.

FOUL WATER DRAINAGE

Policy W DM1 of the Local Plan deals with foul water drainage: development which will materially increase foul water discharges will be refused unless the LPA is satisfied that either adequate drainage capacity exists or appropriate drainage capacity can be provided as part of the development.

A foul water drainage statement has been submitted with the application. The foul water drainage statement confirms the presence of a 150mm diameter foul water sewer that runs along the private access lane towards the application site. The applicant is proposing to connect onto this foul water sewer via the existing private system on the site, or if levels do not permit this, then via a direct connection into the sewer subject to Southern Water's consent.

Southern Water has raised no objection but requires a formal application for a connection to the public sewer to be made by the applicant or developer.

Subject to a foul water drainage condition, the proposed residential development is acceptable and it is in accordance with Policy W DM1 of the Local Plan.

RENEWABLE ENERGY

Policy ECC SP2 requires all residential development to demonstrate 3 things: (1) Achieving energy efficiency measures - reflecting current standards; (2) Use design and layout to promote energy efficiency; and (3) Incorporate decentralised renewable energy. The two semi-detached houses have not specifically been designed using passive solar principles, but the south facing elevations include large window areas which help to maximise solar gain, which would comply with Policy ECC SP2 of the Local Plan

As the applicant has not submitted a plan or details showing renewable energy technology, then a condition is required to ensure that the proposed development complies with Policy ECC SP2 of the Local Plan.

SUMMARY

It is considered that the size and scale of the proposed development, comprising of 2 additional houses and the alteration to an existing house on land within part of the BEW strategic allocation does not justify the need to masterplan the application site. The provision of 2 net new houses on a 0.34 hectare site within BEW constitutes such small scale development that it neither needs to be masterplanned or be required to contribute to the infrastructure provision on BEW. The proposed residential development is considered to be acceptable, in accordance with the policies in the Arun Local Plan, the Aldingbourne NP and the NPPF, subject to the following conditions.

HUMAN RIGHTS ACT

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

Rights.

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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

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

RECOMMENDATION

APPROVE CONDITIONALLY

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

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

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

Site Location Plan

Drawing No. 0110 Rev. P01 - Site Plan Existing
 Drawing No. 0120 Rev. P04 - Site Plan Proposed
 Drawing No. 0190 Rev. P01 - Ground Floor Existing
 Drawing No. 0200 Rev. P03 - Ground Floor Proposed
 Drawing No. 0200 Rev. P02 - First Floor Proposed
 Drawing No. 0200 Rev. P01 - Roof Plan Proposed
 Drawing No. 0300 Rev. P02 - Elevations Proposed S/E
 Drawing No. 0301 Rev. P01 - Elevations Proposed N/W
 Drawing No. 0310 Rev. P02 - Elevation E
 Drawing No. 0311 Rev. P03 - Elevations N/S/W
 Drawing No. 3010 Rev. P01 - Visualisation
 Drawing No. RCo 250 / 03 Rev. 01 - Soft Landscape Layout
 Drawing No. RCo 250 / 02 Rev. 01 - Tree Protection Drawing
 Drawing No. RCo 250 / 04 Rev. 01 - Detailed Planting Plan
 Drawing No. RCo 250 / 01 - Tree Constraints Drawing

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

- 3 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed houses and the extension to the existing house known as "L'Apache" have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the two houses and the extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve buildings of visual quality in accordance with Policy D DM1 of the Arun Local Plan.

- 4 No construction activities shall take place, other than between the hours of 08:00 - 18:00 hours Monday to Friday, 08:00 - 13:00 Saturday and no working activities at any time on Sundays, and bank and public holidays.

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

- 5 No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development, in accordance with Policy D DM1 and Policy T SP1 of the Arun Local Plan.

- 6 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans to be submitted to and approved by the Local Planning Authority, after consultation with the County Highway Authority.

Reason: To provide alternative travel options to the use of the car in accordance with Policy D DM1, Policy T SP1 and Policy T DM1 of the Arun Local Plan.

- 7 Prior to the occupation of the two dwellings hereby approved, the 'Keep Clear' markings shall be re-instated on the carriageway of Lidsey Road adjacent to the private road access.

Reason: To ensure that vehicles queuing back from the level crossing do not block the entrance/egress from the access road, in accordance with Policy T SP1 of the Arun Local Plan.

- 8 Prior to the commencement of the development hereby approved, a detailed level survey of the site including existing and resulting ground levels and the slab levels of the buildings the subject of this approval, shall be submitted to and approved by the Local Planning Authority. The development shall proceed only in accordance with the details thus approved and there shall be no subsequent raising of levels without prior written approval of the Local Planning Authority.

Reason: In order to safeguard the amenities of the area and neighbouring residents, and to ensure the appearance and height of the two new dwellings are in keeping with the adjacent housing, in accordance with Policy D DM1 of the Arun Local Plan. This condition is required to be pre-commencement as the levels need to be surveyed prior to any works commencing.

- 9 No development shall take commence until a surface water drainage scheme, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish 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.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with Policy W SP1, Policy W DM1, Policy W DM2 and Policy W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that the surface water disposal scheme is agreed before construction commences.

- 10 The sustainable urban drainage system (SUDS) shall be implemented in accordance with the approved details and agreed timetable, and shall be permanently retained thereafter. The details shall include a detailed site specific SUDS Maintenance and Management Plan, setting out the ongoing maintenance and management of the SUDS, including financial management. Prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with Policy W SP1, Policy W DM1, Policy W DM2 and Policy W DM3 of the Arun Local Plan.

- 11 Prior to the commencement of construction works, the applicant shall connect into the 150mm diameter foul water sewer that runs along the private access lane towards the application site, subject to Southern Water's consent.

Reason: To prevent pollution of water bodies and to ensure the satisfactory drainage of the site and to prevent flooding, in accordance with Policy D DM1 and Policy W DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the site drainage needs to be approved and implemented before the dwellings are occupied

- 12 Prior to commencement of construction, details shall be submitted for approval setting out how the development will incorporate decentralised, renewable and low carbon energy supply systems. The approved details should thereafter be implemented prior to occupation of any of the dwellings and any approved renewable energy supply systems shall be permanently retained and maintained in good working order thereafter.

Reason: To ensure that the development is energy efficient and provides climate change mitigation in accordance with Policy ECC SP1 of the Arun Local Plan

- 13 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the dwelling houses shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with Policy D DM1 of the Arun District Local Plan.

- 14 All planting, seeding or turfing comprised in the approved landscaping details shall be carried out in the first planting and seeding seasons following the occupation of the two houses or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of residential amenity and of the environment of the development in accordance with Policy D DM1 of the Arun Local Plan and Policy EH6 of the Aldingbourne NP.

- 15 The two semi-detached houses hereby approved shall not be occupied until the following ecological enhancements have been implemented on the site:

- the installation of a 1FR Bat Tubes on the external walls of the two houses, for bat roosting; and
- the installation of a 1SP Schwegler Sparrow Terrace for bird nesting on the two houses.

These ecological enhancements shall thereafter be retained.

Continued management of the site must take place to ensure remains unsuitable for reptiles and reptile habitat does not develop on-site.

Reason: In the interests of enhancing the ecological habitats on the site, in accordance with Policy ENV DM5 of the Arun Local Plan and Policy EH2 of the Aldingbourne NP.

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

Reason: In the interests of the amenities of the area, the amenity of existing neighbouring properties, the site biodiversity (particularly in respect of bats), the interests of minimising crime and to minimise unnecessary light spillage outside the development site in accordance with Policy QE SP1, Policy QE DM2 and Policy ENV DM5 of the Arun Local Plan and Policy H8, Policy EH2 and Policy EH10 of the Aldingbourne NP.

- 17 Prior to the occupation of the two dwellings hereby approved, the following noise mitigation measures should be implemented:

- The installation of enhanced double glazing (6/12/6.4 PVB) (29dB(A) in the ground floor kitchens and living areas and in the first floor bedroom windows on the southern elevations of the two houses; and
- The installation of acoustic trickle vents to ensure sufficient ventilation with a D(new) of 38 decibels in the first floor bedroom windows on the southern elevations of the two houses.

Reason: To avoid unacceptable high levels of noise from the railway line and in the interests of residential amenity, in accordance with Policy D DM1 and Policy QE DM1 of the Arun Local Plan and Policy H7 of the Aldingbourne NP. It is considered necessary for this to be a pre-occupation condition to ensure the agreed acoustic mitigation measures are implemented prior to the residents moving into the new dwellings.

- 18 INFORMATIVE: The applicant is advised to contact the proprietor of the private lane to obtain formal approval to carry out the site access works.

- 19 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

- 20 INFORMATIVE: No development or new tree planting should be located within 3 metres either side of the external edge of the public sewer and all existing infrastructure should be protected during the course of construction works.
- 21 INFORMATIVE: No new soakaways should be located within 5 metres of a public sewer.
- 22 INFORMATIVE: Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time an ecologist will need to check the site before any works take place (with 24 hours of any work).
- 23 INFORMATIVE: This planning permission could not be lawfully implemented until the Section 106 Agreement is discharged. Following the granting of planning permission for residential development on the site, the land that is subject to the S106 Agreement will no longer serve a 'useful planning purpose'.
- 24 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.