

Recommendation Report for Planning Permission

REF NO: AL/121/21/PL

LOCATION: Rear of Green Gables
Northfields Lane
Westergate
PO20 3UH

PROPOSAL: Demolition of swimming pool buildings and erection of 1 No. new dwelling using the existing access. This site is in CIL Zone 2 & is CIL Liable as new dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Planning consent is sought for the demolition of a swimming pool and associated plant room/store in the rear garden of Green Gables to facilitate construction of a four bed detached dwelling. Access will be via an existing driveway/access track extending to the south. No alterations will be made to the existing access.
SITE AREA	0.05 hectares.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	20 dwellings/hectare.
TOPOGRAPHY	Predominantly flat.
TREES	A single tree will require removal to facilitate the works.
BOUNDARY TREATMENT	The front boundary has wooden ranch type fencing + conifer screening, south and north side boundaries have close boarded fencing approximately 1.8m in height.
SITE CHARACTERISTICS	The rear boundary has close boarded fencing approximately 1.8m in height, north and south side boundaries close boarded fencing approximately 1.8m in height. The site is in the northern extent of Westergate and accessed from Nyton Road to the south via an access track and driveway associated with an adjacent property (Elderberry House). The rear garden of Green Gables is dominated by managed grassland, together with areas of planted shrubbery, hedgerows and a small number of scattered trees with a covered swimming pool with a small plant room, Log Store and Garden Shed.
CHARACTER OF LOCALITY	A semi-rural area with detached bungalows and two storey properties on large plots of various styles and designs. The site is bounded to the north, west and south by managed residential gardens. A large-scale housing development is in construction adjacent to the east. To the south of site is a junction with the Basmati Restaurant in the middle of it with residential and commercial properties on Nyton Road and

Westergate comprising a mixed character with three listed buildings. The site is a part of Area of Character Westergate 1.

RELEVANT SITE HISTORY

AL/25/09/	Extension & alterations to existing dwelling.	ApproveConditionally 17-06-09
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None.

REPRESENTATIONS

Aldingbourne Parish Council: No objection.

No letters of representation received.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

Engineers Comments Regarding SURFACE WATER DRAINAGE: No objection subject to conditions. Full comments are online.

ADC ENVIRONMENTAL HEALTH: No objection subject to suggested conditions.

WSCC Highways: Does not consider proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, subject to conditions.

ADC GREENSPACE: No landscape objection subject to conditions. Further information required demonstrating what will be included in the scheme and what level of net gain will be created.

SOUTHERN WATER: No objection. Full comments are online. Request informative regarding application for connection to public sewer.

WEST SUSSEX FIRE and RESCUE SERVICE: The access to all parts of the dwelling will be in 45m of a fire appliance and will comply with Approved Document - B Volume 1 B5 section 13 requirements.

NATURAL ENGLAND: the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.

CDC Ecology: No objection subject to conditions.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted; The Appropriate Assessment (HRA) was sent to Natural England for consultation on 26/11/21.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary;
Lidsey Treatment Catchment;
Area of Character Westgate 1;
HRA Buffers (policy SD10 within the South Downs);
WSCC Mineral Consultation Areas;
Flood Zone 2.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVSP1	ENV SP1 Natural Environment
ENVDM5	ENV DM5 Development and biodiversity
HERDM4	HER DM4 Areas of Character
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
WMDM1	WM DM1 Waste Management

[Aldingbourne Neighbourhood Plan 2019-31 Policy EH1](#) Built up area boundary

Aldingbourne Neighbourhood Plan 2019-31 Policy EH2 Green infrastructure and eco systems.

Aldingbourne Neighbourhood Plan 2019-31 Policy H6 Windfall Sites

Aldingbourne Neighbourhood Plan 2019-31 Policy H9 Attention to detail

Aldingbourne Neighbourhood Plan 2019-31 Policy EH10 'Unlit Village' status

Aldingbourne Neighbourhood Plan 2019-31 Policy EH5 Surface water management

Aldingbourne Neighbourhood Plan 2019-31 Policy EH6 Protection of trees and hedgerows

Aldingbourne Neighbourhood Plan 2019-31 Policy GA3 Parking and new developments

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
NPPDG	National Design Guide

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021

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 relevant policies of the Aldingbourne Neighbourhood Development Plan (2021) are referred to in this report.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

KEY ISSUES

The key issues are principle, design and visual/residential amenity, space standards, highways/traffic, flooding and natural environment.

PRINCIPLE

The site is in the Aldingbourne built-up area boundary in the Local Plan where development is acceptable in principle in accordance with policy SD SP2 of the Arun Local Plan and provided it accords with other policies of the Local Plan covering such issues as visual amenity/character, residential amenity and parking. The key policies of the Arun Local Plan are D SP1, D DM1, D DM2, ECC SP2, ENV SP1, ENV DM1, ENV DM5, HER DM4, W DM1, W DM2 and T SP1 of the Arun Local Plan and relevant paragraphs of the NPPF

Policy D SP1 of the Arun Local Plan requires development to make efficient use of land reflecting the characteristics of the site and local area and policy D DM1 states that a high standard of architectural principles should be demonstrate and new development should have a minimal impact to users and occupiers of nearby properties and land. Policy D DM2 expects internal spaces to meet the requirements of Nationally Described Space Standard. Policy HER DM4 stresses that designation as an Area of Character enables the Authority to better control development and policy ECC SP2 expects all new development to be energy efficient. Policy W DM2 sets the criteria for development in areas at risk from flooding.

Regard should be had to policy SD SP1 of the Arun Local Plan which states "When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF)." Para 120 (d) of the NPPF states that planning policies and decisions should "promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively". Paragraph 124(d) NPPF requires planning policies and decisions to support development that makes efficient use of land, taking into account the desirability of maintaining an area's prevailing character and setting.

Policy EH1 of the Aldingbourne Neighbourhood Development Plan state proposals for development in the built-up area boundary of Westergate will generally be permitted, subject to meeting requirements of other policies set out in the Plan and policy H6 affirms that permission will be granted for residential developments on infill and redevelopment sites in the built up area boundary subject to conditions being met such a scale, design, enhancement of character of the area and conservation of wildlife.

Paragraph 157 NPPF states in determining planning applications, local planning authorities should expect new development to comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable.

Due to the position of the site the dwelling would not conflict with the policies above which, in principle, allow for development or redevelopment within the built up area. The development complies with policies SD SP2 and SD SP1 of the Arun Local Plan and relevant paragraphs of the NPPF.

DESIGN AND VISUAL AMENITY

D SP1 and D DM1 (ALP) are consistent with NPPF provisions in that they require development proposals to make efficient use of land but reflect the characteristics of the site. Policy D SP1 requires development proposals to have derived from a thorough site analysis and context appraisal. Policy D DM1 requires development to have regard to character, appearance, density and scale.

The Arun Design Guide Supplementary Planning Document (SPD), adopted on 25th January 2021, is a material consideration in determination applications. Part P.O1 deals with infill development and requires development to respond positively to the character; infill developments, whether in rural contexts or

urban environments, must aim to strike a balance between the benefits of more efficient and intense use of development land and preserving the character and local amenities of the site's context and will need to respond to the building heights, scale and massing that characterise the existing street frontage.

Paragraph 130 (NPPF) requires decisions to ensure developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.

The National Design Guide in Part C1 maintains that well-designed places are:

- based on a sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design;
- integrated into their surroundings so they relate well to them;
- influenced by and influence their context positively; and
- responsive to local history, culture and heritage.

The dwelling would replace a swimming pool and associated buildings in the rear garden of Green Gables facing Northfield Lane to the west of the site. The dwelling would be positioned closer to the rear boundary of the site, would extend the footprint of existing buildings and would cover almost all width of the plot leaving 1.5m from the northern shared boundary and 1.3m from the southern. The two storey four bed dwelling would have a rectangular shape with two storey projection to the front and single storey to the rear characterised by a skillion and lean to roof. A flat roof garage would be attached to its south elevation and would be well set back from the front elevation of the main building. Two rooflights would be inserted to the southern roof plane, one to the north and one larger to the flat roof above rear single storey projection. The walls will be white render, and clad with cedar or fibre cement boarding. The roof is man made slates and fenestration to be in grey powder coated aluminium or upvc.

The dwelling due to its height, architectural style and appearance, similar to dwellings in the area, would not detract from development in the area and would integrate to the immediate streetscape taking reference from property to the south. The development would be acceptable in the surrounding development. It would comply with those aspects of policies D SP1, D DM1, Her DM4 of the Arun Local Plan, policy EH8 of the Aldingbourne Neighbourhood Development Plan, relevant paragraphs of NPPF, the Arun Design Guide (SPD) and the National Design Guide.

AREA OF CHARACTER (WESTGATE 1)

Policy HER DM4 (ALP) sets out a 3 point criteria against which development should be assessed. Such criteria includes the retention of buildings and other features which make positive contributions to the special character of the area.

Policy EH8 the Neighbourhood Plan identifies the areas and buildings / structures listed in Schedule D and Schedule E as non-designated heritage assets. These sites have heritage significance which needs to be considered in the determination of planning applications.

Paragraph 199 of the NPPF states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The development comprises a new dwelling and attached garage which result in a similar relationship to the neighbouring development as the existing and would be rather hidden behind Elderberry House to the south of the proposal site therefore it is not considered that proposed development would affect significantly the character of the area.

Taking into account the above factors, the development would have some features that culminate in the special area of character and therefore accords with Policy HER DM4 of the Arun Local Plan, the ANDP policy EH8 and paragraph 199 of the National Planning Policy Framework.

RESIDENTIAL AMENITIES

Arun Local Plan Policy D DM1 indicates permission will only be granted for schemes displaying high quality design and layout. It indicates development will be permitted if it takes into account impact on adjoining occupiers, land, use or property by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance. Policy QE SP1 states the Council requires all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity.

Policy QE DM1 seeks to protect against the impacts of new noise generating development. It states that: "Developers proposing new noise generating development must seek advice from an early stage to determine the level of noise assessment required."

Paragraph 130(f) (NPPF) requires planning decisions to create places with a high standard of amenity for existing and future users.

It is not considered a residential use would be a noise generating form of development especially in entirely residential areas. The residential use would have similar characteristics to other residential properties in the locality. However, the applicant in their Design & Access Statement mentions the provision of air source heat pumps which could produce some noise. Environmental Health suggested a condition which requires submission of the scheme which includes technical specifications and a plan illustrating the location for the heat pump and any sound mitigation measures required.

The proposal would result in a substantial dwelling situated between an existing large contemporary property to the south and the rear garden of Stanwick, a two storey dwelling to the north. No habitable room windows are proposed on the flank walls at the first floor level of the proposed two storey dwelling and given the separation distance of 7m between site elevation of proposed property and flank wall of Elderberry House to the south, and more than substantial separation distance from the property to the north it is not considered that the development would result in an adverse impact on living conditions of occupiers of neighbouring dwellings.

On the basis of the above assessment, the development would accord with Policy QE SP1 and D DM1 of the Arun Local Plan and paragraph 130(f) of the National Planning Policy Framework.

INTERNAL SPACE STANDARDS

Policy D DM2 (ALP) requires internal space standards to be an appropriate size to meet the requirements of all occupants and their changing needs. Paragraph 13.3.4 which supports the implementation of Policy D DM2 states there might be occasions where development cannot comply with all the space standards which includes the conversion of an existing building.

The internal spaces of the dwelling has been assessed against the Nationally Described Space Standards which are used to assess acceptable spaces under Policy D DM2. The spaces would substantially exceed the minimum thresholds. The development accords with Policy D DM2.

Arun District Council has no size standards in respect of private gardens although section H.04 of the Arun Design Guide SPD advises that outdoor amenity spaces should be of an appropriate size and shape and be usable and enjoyable. It states rear gardens should have a minimum depth of 10.5m and

buildings should be set back by 2m from the plot boundary to mark defensible space.

The proposal provides a rear garden with a depth of 10m of a rectangular shape which would satisfy the requirement of Arun Design Guide and complies with policies D DM1 and D DM2 of the Arun Local Plan and with the guidance in the NPPF (para. 130).

HIGHWAYS, TRANSPORT AND PARKING

Policy T SP1 (ALP) does not relate to housing supply and is given full weight. Policy T SP1 requires appropriate parking in line with WSCC Guidance (now superseded by Arun District Council guidance).

Paragraph 110 (NPPF) states it should be ensured safe and suitable access to the site can be achieved for all users. Paragraph 111 (NPPF) states development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Parking Standards Supplementary Planning Document, (Jan 2020) for a 4+ bed property in this type of location (Parking Behaviour Zone 2) requires a minimum of 3 car parking spaces on site. The site plan shows 3 parking spaces plus garage that would satisfy the requirement of the standard. Covered cycle storage is provided in the garage.

Parking Standards require that all new houses with a driveway and garage will provide active EV charging points (in accordance with current ADC Vehicle Infrastructure Study (2017)). All other development will need to provide EV charging points in 20% of parking spaces from the date of adoption of this SPD. This approach reflects that taken by the WSCC GPND and responds to the Government's declaration of a 'Climate Emergency' and future regulations on decarbonising the transport sector.

It is proposed to utilise an existing access via a private access drive. If works to the private access road are proposed, the applicant is advised to contact the proprietor of the drive to obtain formal approval.

Taking into account the above, the development provides for the transport demands created in accordance with paragraphs 110 and 111 of the NPPF, Policy T SP1 of the Arun Local Plan and according Arun District Council Parking Standards subject to suggested conditions.

FLOODING ISSUES

W DM2 of the Arun Local Plan states development in areas at risk from flooding (as identified by the EA) will only be permitted following compliance with listed criteria. One of these criterion is the submission of a sequential test in accordance with the NPPF. Flooding is likely to increase in the future, particularly due to rising sea levels, increased surface water and from rivers.

According to Environment Agency Flood Risk Map the site is in flood zone 2 and the access in Flood Zone 3, there is a low risk of surface water flooding (1 in 1000 event) in the centre of the site. The Climate Change Data shows that entire area (whole proposal site included) to be Flood Zone 3a by 2031, 2061 and 2111 (Future Flood Risk).

The application is supported by a full Flood Risk Assessment and Drainage Strategy detailing flood resilient measures that ensures the occupants of the building would not be put at unacceptable risk of flooding. A sequential test and exceptions test have been submitted. Access and egress to the dwelling can be safely gained in the unlikely event of a significant flood, via Peckham Close through to Fontwell Avenue.

Therefore the proposal would comply with W DM2 and the National Planning Policy Framework.

NATURAL ENVIRONMENT

Arun Local Plan policy ENV SP1 states Arun District Council encourage and promote the preservation, restoration and enhancement of biodiversity and the natural environment through the development process and particularly through policies for the protection of both designated and non-designated sites. The Council will ensure, policy ENV DM1, that the intrinsic features of particular interest are safeguard or enhanced.

The ANDP policy EH6.2 highlights that part of the Plan area falls in the 12km buffer to the Singleton and Cocking Tunnels SAC created policy SD10 of the South Downs Local Plan. Protection of the habitats, many of which are located within the biodiversity corridors is important for feeding and roosting sites.

Paragraph 174 of NPPF (2021) requires planning policies and decisions to contribute to and enhance the natural and local environment by: minimising impacts on biodiversity and providing net gains in biodiversity where possible. This paragraph calls for the establishment of coherent ecological networks that are more resilient to current and future pressures.

The site is in the Habitats Regulations Assessment Buffer, in a distance of 11.5km from Singleton and Cocking Tunnels SSSI and SAC where barbastelle bats use woodland as a maternity roost and they can forage 10-15 km from roosting sites. The Habitats Regulations require additional consideration during the planning stage to ensure that the development does not affect the reasons for designation. Planning documents should detail fully the potential impacts and how these will be avoided or reduced.

A Preliminary Ecological Appraisal was submitted to determine the ecological constraints on the site. The Preliminary Ecological Appraisal states the site receives a low level of light spill from the adjacent residential dwelling and security lighting was also present on the swimming pool structure. The new development provides the opportunity to enhance the site's value for foraging bats and to minimise indirect impacts from lighting associated with the new development. The works will directly impact approximately 0.02ha amenity grassland, 35m² introduced shrub, and a single tree. The development is likely to have a moderate adverse impact on the Singleton and Cocking Tunnels SAC.

It is proposed to mitigate adverse impacts through the approval of an external lighting strategy and prohibition of other external lighting. This can be controlled by condition.

CDC's Environment Officer does not object to the development subject to conditions. Therefore it is considered that the development complies with requirements of ALP policies ENV SP1 and ENV DM1.

BIODIVERSITY

Policy ENV DM5 of the Local Plan requires development schemes shall seek to achieve a net gain in biodiversity and protect habitats on site. They shall incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats (whether designated or not)."

Policy EH6 of the ANDP emphasises development proposal must be designed to incorporate biodiversity within and around developments and enhance ecological networks.

The proposal is for a new building in garden land. The Preliminary Ecological Appraisal, Ref:21067 dated 29 September 2021 has been submitted. ADC's Greenspace Officer did not have a landscape objection subject to submission of further information demonstrating what will be included within the scheme and

what level of net gain will be created. A landscape scheme will need to be submitted for approval, this should be plotted in plan and list form and in relation to the trees and vegetation to be retained so that a clear picture of the proposals can be seen. The soft landscape proposals need to detail the quantities, species and size at time of planting and include additional screening as required to strengthen the boundary surrounding the proposals.

The opportunity to increase biodiversity and mitigation measures will be secured via conditions.

SUMMARY:

This proposal represents an appropriate redevelopment of the site without compromising the visual amenity of the area or the amenities of existing neighbouring residential occupiers. The proposal represents a sustainable development.

The policies most relevant to this application are not considered out of date in accordance with paragraph 11 of the NPPF. The scheme is acceptable when applying the Local Plan policies (that are relevant and up to date) and it is recommended that in accordance with paragraph 11c of the NPPF that permission is granted subject to 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.

CIL DETAILS

This application is CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

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:

Dwg No 2.01 Rev A, Proposed Plans and Elevations;
Dwg No 2.02 Rev C, Site and Location Plan.

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 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 4 The development shall not proceed until details have been submitted to and approved in writing by the Local Planning Authority for any proposals: to discharge flows to watercourses; or for the culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values and in accordance with current policies. No construction is permitted, which will restrict current and future landowners from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. And to ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion. It is considered necessary for this to be a pre-commencement condition to protect existing watercourses prior to the construction commencing.

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

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

interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

- 6 No development above damp proof course (DPC) level shall take place until details of screen walls and/or fences have been submitted to and approved by the Local Planning Authority and no dwellings shall be occupied until such screen walls and/or fences associated with them have been erected.

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

- 7 Before the building hereby permitted is occupied a dustbin enclosure shall be provided as part of the development in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority, such drawings to show the siting and design thereof. The details as approved shall be retained in perpetuity.

Reason: To safeguard the appearance of the property and the amenities of the area in accordance with policies D DM1 of the Arun District Local Plan.

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

Reason: To provide car-parking space for the use and in accordance with policy T DM1 of the Arun Local Plan.

- 9 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with approved plans. The facilities shall thereafter be retained in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with policies T SP1 of the Arun Local Plan.

- 10 Prior to the occupation of the dwellings, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved dwellings shall be submitted to the local planning authority for approval and thereafter implemented in accordance with the approved details and the charge points shall thereafter be permanently retained and maintained in good working condition.

Reason: New petrol, diesel and hybrid cars/vans will not be sold beyond 2035, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun Parking Standards SPD and the National Planning Policy Framework.

- 11 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 or dormer windows to the dwelling houses shall be constructed or additional 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 of adjoining occupiers, maintain adequate private amenity space and safeguard the cohesive appearance of the development in accordance with policy D DM1 of the Arun Local Plan.

- 12 The new dwelling shall not be occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will incorporate decentralised, renewable and low carbon energy supply systems including full

details of solar panels or air source pumps. The approved scheme shall thereafter be implemented prior to occupation of the dwelling and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: To ensure that the development is energy efficient and in accordance with policy ECC SP2 of the Arun

- 13 Construction/demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no works taking place on Sunday or Bank Holidays unless they are not audible outside of the application site.

Reason: To protect the amenity of local residents in accordance with policies QE SP1 and QE DM1 of the Arun Local Plan

- 14 If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

Reason: To protect the amenity of local residents in accordance with Policy QE DM4 of the Arun Local Plan.

- 15 No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the 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.

Reason: In the interests of highway safety and the amenities of the area in accordance with policy TSP1 of the Arun Local Plan.

- 16 Prior to the occupation of the dwelling a scheme shall be submitted for approval by the Local Planning Authority to demonstrate that the sound pressure level from the heat pump will not be greater than 42dBA at the facade of the nearest sensitive receptor. The scheme shall include technical specifications and a plan illustrating the location for the proposed heat pump and any sound mitigation measures required to achieve 42dBA at the facade of the nearest sensitive receptor. The approved scheme shall be implemented and maintained thereafter.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Arun Local Plan.

- 17 Prior to its installation, full details of any external lighting together with their mechanisms and timings of operation shall be submitted to and approved in writing by the Local Planning Authority. The use of timed black out blinds and/or low transmission glazing is required for all roof lights due to the biodiversity sensitivities of the site and not disturb or harm wildlife, given the priority woodland habitat. The lighting shall be installed in strict accordance with the approved details and shall thereafter be maintained and operated in accordance with those details. No other external lighting shall be installed on the site.

Reason: To control the residential amenities of the local environment in accordance with Arun Local Plan policies QE SP1, QE DM2, D DM1 and ENV DM5.

- 18 Any on site brush piles, compost and debris piles which could provide shelter areas and hibernation potential for hedgehogs must be removed outside of the hibernation period mid-October to mid-March inclusive. The piles must undergo soft demolition. If any small mammals including hedgehogs are found they should be relocated away from the construction area into surrounding suitable habitats.

Reason: To enhance the environment for local wildlife and result in net biodiversity gain, in accordance with the relevant legislation and policy ENV DM5 of the Arun Local Plan.

- 19 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 (within 24 hours of any work).

Reason: To enhance the environment for local wildlife and result in net biodiversity gain, in accordance with the relevant legislation and policy ENV DM5 of the Arun Local Plan.

- 20 Prior to first occupation, the biodiversity enhancement measures listed within Preliminary Ecological Appraisal' Ref:21067 dated 29 September 2021 must be provided and retained in perpetuity. These refer to:

- Additional bird nesting provision; a series of two external bird boxes
- A single bat box could also be incorporated into new design proposals.
- All lights should be directed at a low angle with minimal light spillage wherever possible.
- The site boundaries should be kept dark.
- Planting of shrubs adjacent to the new building.
- Existing hedgerows should be enhanced through planting of native species
- An update habitat survey is undertaken if more than 18 months have elapsed between the survey and the point at which any development decisions have been made at the site.

Reason: To enhance the environment for local wildlife and result in net biodiversity gain, in accordance with the relevant legislation and policy ENV DM5 of the Arun Local Plan.

- 21 INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm event plus 40% on stored volumes/rainfall intensity (allowance for climate change) between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year storm event plus 40% on stored volumes/rainfall intensity. Adequate freeboard must be provided between the base

of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located at <https://www.arun.gov.uk/drainage-planning-consultations> on Arun District Council's website. A surface water drainage checklist is available on Arun District Council's website, this should be submitted with a Discharge of Conditions Application.

- 22 **INFORMATIVE:** Under Section 23 of the Land Drainage Act 1991 Land Drainage Consent must be sought from the Lead Local Flood Authority (West Sussex County Council), or its agent (Arun District Council land.drainage@arun.gov.uk), prior to starting any works (temporary or permanent) that affect the flow of water in an ordinary watercourse. Such works may include culverting, channel diversion, discharge of flows, connections, headwalls and the installation of trash screens.

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

- 23 **INFORMATIVE:** The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.

- 24 **INFORMATIVE:** This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.

- 25 **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.