

Recommendation Report for Planning Permission

REF NO: AL/62/21/PL

LOCATION: Paddocks
Days Lane
Aldingbourne
BN18 0TA

PROPOSAL: Change of use from C3 residential dwellinghouse to Class E ancillary office space, change of use of former garage building to Use Class F1 and the alterations to the buildings including roof extension of the main building in order to allow increase in capacity for children of up to 10 and staff up to 6 of the specialist childrens school at the Coach House.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Permission is sought for the change of use of the part of Paddocks from C3 residential to Class E ancillary office space, change of use of former garage building to Use Class F1 and the alterations to the buildings including roof extension of the main building (Paddocks) to allow an increase in capacity for children of up to 10 and staff and up to 6 of the specialist children's school at the Coach House.
SITE AREA	5036.00 square metres.
TOPOGRAPHY	Predominantly flat.
TREES	Two 'B' Grade trees: TG 20 are to be removed due to proximity to the new parking area. 1 no. 'C' Grade Beech shrub (S 19) would also be removed.
BOUNDARY TREATMENT	A flint wall covered with climbing plants and Escot entrance gate along Days Lane, hedgerow approximately 2m high on the northern boundary.
SITE CHARACTERISTICS	Paddocks is a detached house with a habitable roof space and a large garage attached to the northern elevation of The Coach House located to the west of Days Lane and north of the A27 dual carriageway. The site was a dwelling and associated garden but now forms part of The Coach House (located immediately to the south) which provides therapeutic residential care and education to vulnerable and traumatised children.
CHARACTER OF LOCALITY	The area is rural in character as the application site is bordered by dwellings which are set in large plots. The site is in close proximity to the boundary with the South Downs National Park to the north, paddocks and stables on the eastern side of Days Lane and the A27, a two lane dual carriageway, to the north.

The below application is for a different site it is closely related to the current application.

AL/60/14/PL, The Coach House - Change of use from residential (C3 Dwellinghouse) to children's therapeutic community centre (D1 Non residential Institution).

Along with other conditions, condition 5 was imposed on the above application:

'There shall be a maximum of 12 children on the site at any one time and 11 members of staff.

Reason: To safeguard the privacy and amenity of adjoining occupiers in accordance with policy GEN7 of the Arun District Local Plan.'

Regardless of this condition, as mentioned in submitted Transport Assessment Technical Note, 'The proposed development would facilitate the expansion of the neighbouring specialist children's school which is currently operating at maximum capacity, increasing the number of pupils from 18 to 28'.

REPRESENTATIONS

Aldingbourne Parish Council: No objection.

- The PC supports this application but would like to note that the ANDP Policy EH10 (Dark Skies) as this application includes the addition of new windows/doors and mitigation may be required.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. An appropriate condition will be imposed to this decision to satisfy the requirements of policy EH10 of the ANDP.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

NATURAL ENGLAND: Has no comments to make on this application.

HIGHWAYS ENGLAND: No objection.

ENVIRONMENTAL HEALTH: No objection in principle, however noise must be considered. It is unclear from whether the proposal building will be used exclusively as offices to support the existing school (as stated in DAS). If the proposal includes children attending the Paddocks building a noise management plan shall be required.

Engineers Comments Regarding Surface Water Drainage: Due to the scale, location and type of application we have no conditions to request. Any alterations to surface water drainage must be designed and constructed in accordance with Building Regulations.

WSCC Highways: The changes will not generate an increase in vehicle movements which are considered to cause significant highway safety or capacity impacts and as such no objection is raised subject to suggested conditions.

SOUTH DOWNS NATIONAL PARK AUTHORITY: It is considered that the proposals are unlikely to have a significant visual impact upon the setting of the National Park. Consideration should be given to minimise upward light spill from the proposed roof lights.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. A condition requiring the submission of management plan identifying all potential sources of noise from activities of users of the development including noise mitigation measures where appropriate will be imposed to this decision.

POLICY CONTEXT

Designation applicable to site:

Outside Built-Up Area, Countryside C SP1;
Lidsey Treatment Catchment.
HR Buffers (SD10) 12 000 Singleton and Cocking Tunnel SAC;
Mineral Safeguarding Area.

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

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitagation
ENVDM1	ENV DM1 Designated Sites of Biodiversity or geographical imp
ENVDM4	ENV DM4 Protection of trees
ENVSP1	ENV SP1 Natural Environment
QEDM1	QE DM1 Noise Pollution
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
TSP1	T SP1 Transport and Development
WMDM1	WM DM1 Waste Management

[Aldingbourne Neighbourhood Plan 2019-31 Policy EE1](#) Supporting existing employment and retail

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

Aldingbourne Neighbourhood Plan 2019-31 Policy EH2 2019 Protection of bat habitation

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

Aldingbourne Neighbourhood Plan 2019-31 Policy GA1 Promoting sustainable movement

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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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 broadly with policy C SP1 of the Arun Local Plan in that the proposal is in accords with that policy as it supports the diversification of the rural economy (d) and has no harmful residential amenity effects or other unacceptable environmental impacts.

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, highways/traffic and natural environment.

PRINCIPLE

The site is outside the built up area boundary in the countryside where new development is generally unacceptable. Local Plan Policy C SP1 seeks to protect the character and amenity of countryside and sets out a limited range of developments which may be permitted in the countryside including essential facilities for agriculture and forestry, quiet informal recreation or green infrastructure. The proposal would be acceptable in respect of Arun Local Plan policy C SP1 as it is for the diversification of the rural

economy (d).

The Aldingbourne Neighbourhood Development Plan policy EH1 "Built Up Area Boundary" is relevant. It states that Proposals for development of land located to the west of Westergate Street and outside of the BUAB will not be supported. Policy H6 (residential windfall sites) only applies to sites in the built up area boundary. Policy GA1 states proposals that increase travel demand are to be in places accessible to public and community transport.

The NPPF supports economic development outside the built up area. Para 84(a) of the NPPF states Planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings and paragraph 85 of the NPPF stresses that the use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

The proposal is for the conversion of part of existing residential property (circa 70 square metres) to provide office space associated with the neighbouring school and the other part of the property will be retained as residential to provide a residential home for 4 children. This residential care element will be supported by 3 members of staff. Staff will be on site between 7:30am and 10:30pm, one member of staff staying overnight to care for children. The development would facilitate the expansion of the neighbouring specialist children's school (change the use from a dwellinghouse to a children's therapeutic community centre/school under AL/60/14/PL) which is operating at maximum capacity, increasing the number of pupils from 18 to 28. The proposal is for the conversion of the garage associated with the existing residential property to provide dining and additional teaching space/therapy rooms for the school.

The proposal involves some external changes mentioned below at design and visual amenity section. The proposal would not have a long lasting impact on the character of the countryside.

The scheme complies with relevant development plan police and para 11c of the NPPF.

DESIGN AND VISUAL AMENITY

Policy D SP1 (ALP) requires all development proposals to reflect the characteristics of the site and local area. Policy D SP1 requires proposals to have derived from a thorough site analysis and context appraisal. Policy D DM1 (ALP) sets out 15 criteria against which the design of new development should be assessed. The criteria includes character, appearance, impacts, public realm, layout and density. Policy D DM4 discussed extensions to buildings.

Arun Design Guide Supplementary Planning Document (SPD), a material consideration in the determination of applications, was adopted 25th January 2021. Part G.O1 which deals with Neighbourhood, Centres and Local Facilities stresses the accessibility of facilities and services is fundamental to the proper functioning of a neighbourhood.

Paragraph 130 of the NPPF states "Planning policies and decisions should ensure that developments: (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)."

The alterations associated with the change of use are primarily internal although some external alterations are proposed. In respect of the main house, these relate to the roof extension involving insertion of one large dormer, sufficiently set down from the roof ridge, to the northern roof plane of

southern wing and one aligned with the roof ridge of eastern roof plane to accommodate four bedrooms and bathroom within southern wing and bedroom 5, Sleep-in Room En-suite in northern wing. Five roof-lights are proposed to the western roof plane of northern wing and one to the eastern and gabled window of northern elevation (north wing) would be enlarged. There are some changes in fenestration proposed at the ground floor level involving an insertion of a pair of French door on southern elevation of southern wing. The ground floor would comprise Sleep-in Room En-suite, WC and Sitting Room (the end of west wing) showed separated/the rest Sitting Room, Dining. Kitchen and Reception Room are within northern wing the rest of which is allocated to Offices/Meeting Room and a Shower Room.

The garage (attached to The Coach House's northern elevation) would consist of Dining/Amenity Hall, Kitchen, 2 toilets and shower at the ground floor level and four Therapy Rooms within a roof space. The external changes involve an insertion of a pair of French door and an additional door on the northern elevation and three windows on eastern.

The resultant buildings are not considered to have an adverse effect on the rural character of the area in respect of the nature and level of activity although all changes are related to the expansion of the neighbouring specialist children's school which is currently operating at maximum capacity, increasing the number of pupils from 18 to 28 considerably (this information was included in Transport Assessment Technical Note rather than the Design and Access Statement). There will be a maximum of 28 children on site at any one time which is a higher intensity and a condition would be imposed requiring provision of management plan identifying all potential sources of noise from activities of users of the development along with mitigation measures where appropriate to assure that there would not be a significant impact on the overall rural character of the site.

The proposal is therefore considered to comply with policy D SP1, D DM1 and D DM4 of the Arun Local Plan.

HIGHWAY SAFETY & VEHICLE PARKING:

Arun Local Plan policy T SP1 requires that development allow for the safe movement of pedestrians and vehicles, giving priority to pedestrians. Policy EMP DM1 as set out above requires there to be off-street parking. Regard should be had to para 110 of the NPPF.

Saved policy GA3 of the ANDP advocates proposals must provide adequate parking in accordance with the standards adopted at the time. Proposals that would result in a loss of parking spaces either on or off street will be resisted.

Arun District Council adopted its own Parking Standards SPD (Jan 2020). Part 4.8 Table 4.1 sets out the overall vehicular and cycle parking standards by land use. Under Arun Parking Standard for D1 use vehicular and cycle parking provision is based on site specific assessment based on travel plan and needs.

Parking Standards requires 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.

4 children residing at the home will attend the school. Staff will escort them to the school via a pedestrian route connecting the site and the school site. Staff will be able to move between the school building and the offices via designated pedestrian route linking the sites. However, no indication of this designated pedestrian route linking those sites can be found within submitted Location and Block Plan.

This application is supported by a Transport Assessment, which provides TRICS trip generation data for existing and proposed use. The access from Days Lane will remain. It was considered in the Transport Assessment Technical Note that the gated residential driveway will accommodate the demand generated by the proposals. The access will be used by staff of the residential children's home and the additional staff to be employed as part of the office element (6 in total) which will support the school expansion. The site will provide car parking for 6 vehicles. Submitted Technical Note concludes that sufficient car parking will be provided to accommodate the demand generated by the development proposal and the development proposal has the potential generate 6 daily arrivals and 6 daily departures with negligible impact on operation of the local highway network.

WSCC considers the changes to the site will not generate an increase in vehicle movements which are considered to cause significant highway safety or capacity impacts.

For the above reasons the proposal accords with policy T SP1 of the Arun Local Plan, policy GA3 of the Aldingbourne Neighbourhood Development Plan, Arun Parking Standards and NPPF guidance.

RESIDENTIAL AMENITY/NOISE

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.

The change of use and amendments would result in an intensification of use permitted under AL/60/14/PL as a children's therapeutic community centre limiting the maximum children and staff.

The property most affected by the proposal is White Mill House, the closest residential property, which is immediately to the north-west of the proposal site. Due to the intensification of the site use there will be an additional disturbance to this neighbouring property. The question is whether this will be at unacceptable levels. In terms of additional disturbance a condition will be imposed to the decision requiring a Management Plan which shall identify all potential sources of noise from activities of users of the development and shall include noise mitigation measures where appropriate. It may be appropriate to consider external activities, times of external activities and strategies to reduce noise incidents. The management plan shall be submitted in writing for approval to the Local Planning Authority. The agreed scheme shall be maintained in perpetuity throughout the lifetime of the operational phase of the development.

The development would satisfy the requirements of policies D DM1, QE SP1 and QE DM1 of the ALP subject to condition.

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 EH2 highlights that part of the Plan area falls in the 12km buffer to the Singleton and Cocking Tunnels SAC. Protection of the habitats, many of which are located within the biodiversity corridors is important for feeding and roosting sites. Policy EH10 'Unlit Village' status declares that development proposals which detract from the unlit environments of the Parish will not be supported.

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 12 km 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 development does not affect the reasons for designation. Planning documents should detail fully the potential impacts and how these will be avoided or reduced.

No Preliminary Ecological Appraisal was submitted to determine the ecological constraints on the site. Natural England is of opinion the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. The South Down National Park comments point out at the position of site towards the South Downs National Park and how well the site is screened by trees as such the proposals are unlikely to have a significant visual impact subject to suggested conditions in terms of lighting. Consideration should be given to minimise upward light spill from the proposed roof lights.

The development would result in intensification of use of the site and buildings, however the use itself would not be different from this which was already approved (AL/60/14/PL).

CDC's Environment Officer was not consulted due to the nature of the proposal with predominantly internal changes and not very significant external changes. Conditions will be imposed requiring the mitigation adverse impact of the proposed development through an external lighting strategy and prohibition of other external lighting.

The development complies with requirements of ALP policies ENV SP1, ENV DM1, policies EH2 and EH10 and relevant paragraph of NPPF.

PROTECTION OF TREES

Policy ENV DM3 of the Local Plan in section 17.3.1 underlines the importance of trees as producers of oxygen and in urban settings groups of trees can contribute significantly to the successful integration of new dwellings into the landscape. The retention of mature trees can contribute to amenity and more attractive developments as well as retaining important wildlife habitats and should be considered at the design stage of all developments.

Policy ENV DM4 of the Local Plan emphasises where there are existing trees on or adjacent to a developments site, developers shall be required to provide:

d. Land and tree surveys

- e. A tree constraints plan
- f. An arboricultural impact assessment to include a tree protection plan and arboricultural method statement.

ANDP policy EH6 states development that damages or results in the loss of trees of arboricultural and amenity value or loss of hedgerows and/or priority habitat, or which significantly damages ecological networks will be resisted, unless the need for, and benefits of, development in that location clearly outweigh the loss.

Paragraph 131 NPPF highlights the important contribution which trees make to the character and quality of urban environments, and can help mitigate and adapt to climate change. Planning policies and decisions should ensure appropriate measures are in place to secure the long term maintenance of newly planted trees and that existing trees are retained wherever possible.

The ADC Tree Officer has been consulted however no response has been received.

An Arboricultural Assessment & Method Statement has been provided which states: Two 'B' grade trees are proposed to be removed to facilitate the new parking area however it is considered this would have a minimal impact with regard to public amenity being located within the garden area. Likewise, adverse effects with regard to the removal of the 'C' Grade Beech shrub with regard to public amenity would be negligible.

The loss of trees mentioned in the submitted Arboricultural Assessment & Method Statement would have a minimal impact to public amenity and the trees and vegetation designated for retention would be protected with temporary tree protection fencing.' The loss of the two Birch trees and Beech shrub would be in part mitigated by new hedgerow and tree specimen planting.

The proposal would comply with policies ENV DM3 and ENV DM4 of the Arun Local Plan, policy EH6 of the Aldingbourne Neighbourhood Development Plan and NPPF's paragraph 131.

BIODIVERSITY

Policy ENV DM5 of the Local Plan requires development schemes 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 change of use of an existing buildings where the main external alterations to the site relates to the parking area already mentioned in the above section.

A landscape scheme will need to be submitted for approval, this should be 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.

CONCLUSION

The Arun Local Plan allows development in the countryside. It has been shown that the proposal is in accordance with relevant policies of the development plan and para 11c of the NPPF in that it is sustainable development. The site is previously developed land used as residential property. The impacts can be mitigated through conditions to such an extent as to resolve potential amenity issues. It is recommended the application be approved 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 in CIL Zone 3 (Zero Rated) as 'other development'.

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 203095/06, Location & Block Plan;
Dwg No 203095/07, Proposed Site Plan;
Dwg No 203095/08, Proposed Ground Floor Plan;
Dwg No 203095/09, Proposed First Floor Plan;

Dwg No 203095/10, Proposed Roof Plan;
Dwg No 203095/11, Proposed House Elevations;
Dwg No 203095/12, Proposed Garage Elevations;
Dwg No 203095/13, Proposed Sections.
Soft Landscape layout

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 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.

- 4 Prior to the occupation of the buildings, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved use 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.

- 5 Within 6 months of the date of this permission a management plan shall be submitted in writing to the Local Planning Authority which specifies all potential sources of noise from activities of users of the proposed development and shall include noise mitigation measures where appropriate. The approved scheme shall thereafter be implemented and permanently maintained.

Reason: To protect the amenities of occupiers of adjoining properties in accordance with Arun Local Plan policy QE DM1.

- 6 All activity at the site is to be carried out in strict accordance with: - Arboriculture Assessment & Method Statement, ref. RCo375, 16th April 2021, from Ramsay & Co Landscape Architecture.

Reason: To comply with BS5837 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area in accordance with policy ENV DM4.

- 7 No development above damp proof course level (DPC) shall take place until proposals have been submitted to increase the biodiversity of the site. Any trees and shrubs specified should be at a size which allows instant impact, but which will establish and mature as the site develops. Landscape details will be required to be submitted in plan form detailing species choice, quantities, planting densities and size at time of planting. The details so approved shall be implemented prior to the occupation of the development.

Reason: In accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

- 8 Notwithstanding the provisions of any Town & Country Planning General Development Order

or Use Classes Order, the use hereby permitted shall be restricted to solely a children's therapeutic community centre and no other use within D1 (non residential institution) class.

Reason: To enable the Local Planning Authority to consider the acceptability of alternative use, in accordance with the Arun Local Plan policy C SP1.

- 9 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.
- 10 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.
- 11 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.