

Recommendation Report for Planning Permission

REF NO: AW/198/18/PL

LOCATION: Land Between 8 And 12
Wychwood Close
Aldwick
PO21 4DW

PROPOSAL: Erection of 1 No. 4 bed dwelling, formation of new access & felling of 4 No. trees to the rear of the site. This application affects the character & appearance of the Craigweil House Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The new dwelling will be 8m high and as such will be 0.4-0.5m higher than the two adjacent dwellings. It is proposed to erect 1.8m timber fencing to the rear boundary and a bin store is shown to one side. Materials include light grey cedar cladding, white render and dark grey roof tiles. In terms of parking, the new dwelling will have an integrated garage suitable for 1 car plus with additional garage storage space and a driveway suitable for 2 cars.
SITE AREA	468 sq. metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	21.3 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	4 even-aged trees to the rear of the site with a further two in neighbouring land.
BOUNDARY TREATMENT	<ul style="list-style-type: none"> - Low 1.2m high close boarded fence to front; - Mix of 1.8m close boarded fence (rear side boundary) and low 1.3mm high brick wall (front side) to no. 8; - Close boarded fencing at 1.8m high (rear) lowering to 1.5m (front) to no. 12; and - 1m high picket fence to rear.
SITE CHARACTERISTICS	The site comprises a vacant plot of land between two residential plots. There is a grass verge between the site front and the road.
CHARACTER OF LOCALITY	The area is part of a residential street comprising a uniform character with detached properties of 2 storeys set in medium plots set back from the highway with gardens to front and rear within a suburban environment. Neither of the two adjacent properties have any first floor flank windows

RELEVANT SITE HISTORY

AW/128/16/TC	Fell 1 No. Red Oak tree within the Craigweil House Conservation Area.	Objection 31-05-16
AW/270/15/CLE	Lawful development certificate for commencement of 1 No. existing detached house.	Approve 16-11-15
BR/43/63	Outline 2 Detached Dwellings And Garage	ApproveConditionally 11-06-63

The site has the benefit of a Certificate of Lawfulness which confirms that the planning consent given by BR/43/63 (D) was lawfully commenced and therefore remains extant.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

No response received from Aldwick Parish Council.

Two letters of support from both of the Wychwood Close neighbouring properties. Three objections including responses from the "Craigweil Private Estate Limited" company and the "Craigweil House and its Environs Conservation Area Assessment" (CHECAA).

The supporters comment that:

- (1) Form and scale are appropriate;
- (2) The scheme includes sufficient tolerances to enable future maintenance of adjacent properties;
- (3) The 4 Sycamore trees in the rear garden add nothing to the environment and take light from nearby gardens;
- (4) A new tree to the front verge would be welcomed;
- (5) The scheme has sufficient parking;
- (6) The building line matches with others; and
- (7) This represents an opportunity to tidy up the land/remove heras fencing.

The objectors comments are as follows:

- (1) Proposed house will be overbearing as the front two storey building line is not respected;
- (2) Overlooking of rear garden to 55 Kingsway from proposed balcony;
- (3) Insufficient parking within the garage as only suitable for 1 car;
- (4) Insufficient driveway space for the size of proposed dwelling;
- (5) Amount of hard standing in the frontage is excessive in proportion to retained grassed areas; and
- (6) No proposal put forward to replace the frontage tree illegally removed by the previous owner.

In addition one late comment stating that both of the replacement trees proposed by the Tree Officer for the verge frontage are large forest trees and that their root growth will damage adjacent infrastructure.

COMMENTS ON REPRESENTATIONS RECEIVED:

The supports comments are all noted and accepted. The following comments are offered in respect of the objections:

- (1) Character/design will be considered within the Conclusions section;
- (2) Residential amenity will be considered within the Conclusions section;
- (3) - (4) It is acknowledged that the garage will only accommodate 1 car but there is then also space on the driveway for two cars and this is considered to be sufficient for a four bedroom dwelling;
- (5) It is noted that over half of the front garden is to be retained as grass lawn; and
- (6) The applicant agrees to this however it should be noted that the tree is outside of the applicants ownership and also that the applicant did not fell the tree in question.

The comment about the verge frontage trees is noted however, no condition is proposed to this effect and the applicant will discuss the matter with the Craigweil Private Estate Ltd who own the verge.

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

Arboriculturist

Natural England

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

NATURAL ENGLAND - No objection subject to mitigation being secured in respect of the Pagham Harbour Special Protection Area.

ADC DRAINAGE ENGINEER - State that there may be a culverted ordinary watercourse present along the rear site boundary but as the proposed building is set far away from this, and its presence is unknown, no condition is required. However, it should be noted that if anything is discovered whilst carrying out site works they should contact Engineers directly. State that no building should be located over or within 3m of an ordinary watercourse. Also that surface water drainage design should follow the hierarchy for sustainable drainage and meet the requirements of building regulations.

ADC CONSERVATION OFFICER - States that the concept of a detached dwelling in this location is not under question and therefore design, layout & appearance are the only issues to consider. Note that the proposed dwelling aims to recreate elements of dwellings from the 1930's; and that elements such as the form of the building, and the design and shape of the windows reflect this aesthetic, and can be supported, subject to the approval of details. Consider that the overall design of the building is modern in nature, but this shouldn't be considered harmful to the established character of the area. Has some concerns with the use of Cedar boarding, but this may be acceptable depending on the colour/appearance proposed. Also requests to see details of the proposed hard surfacing. Overall considers that the proposal will have a neutral impact upon the character or appearance of the local area, and can be supported. Also commented later following submission of cladding and hard surfacing details that the materials are acceptable.

ADC TREE OFFICER - Raise no objections. Consider that although the 4 trees in the rear could be retained, they are not of any merit and their removal would not adversely harm the character of the area. Consider that adequate protection will be provided to the two, more important, off-site trees. Raise no objection subject to the tree protection plan being adhered to and a replacement tree being planted on the front verge.

CONSERVATION AREA ADVISORY COMMITTEE (CAAC) - No objection. Precise details of materials & finishes to be provided to the Local Planning Authority.

COMMENTS ON CONSULTATION RESPONSES:

It is not considered that a condition can be imposed to require the planting of a tree on land outside of the applicant's ownership and therefore this is included as an informative instead. Regarding the CAAC comments, it should be noted that the Conservation Officer has already agreed the materials. Otherwise, all comments noted.

POLICY CONTEXT

Designations applicable to site:

Within the Built Up Area Boundary;
Pagham Harbour Zone B;
Craigweil House Conservation Area;
Tree Preservation Order; and
Article 4 Direction.

DEVELOPMENT PLAN POLICES

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
ENVDM2	ENV DM2 Pagham Harbour
ENVDM4	ENV DM4 Protection of trees
HERSP1	HER SP1 The Historic Environment
HERDM3	HER DM3 Conservation Areas
HSP1	HSP1 Housing allocation the housing requirement
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP1A	SD SP1a Strategic Approach
SDSP2	SD SP2 Built-up Area Boundary
TDM1	T DM1 Sustainable Travel and Public Rights of Way
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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD2	Conservation Areas
SPD2A	Craigweil House, Aldwick, Conservation Area Statement
SPD10	Aldwick Parish Design Statement

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.

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.

Aldwick have not developed a Neighbourhood Development Plan but has published a Design Guide.

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 an adverse impact upon the established character of the surrounding area.

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 site lies within the built up area boundary where development is acceptable in principle in accordance with policy SD SP2 of the Arun Local Plan (ALP) and provided it is in accordance with other policies of the Local Plan covering such issues as heritage assets, design & character, car parking, impact on trees, residential amenity, space standards and the impact of the proposal on the Pagham Harbour Special Protection Area (SPA).

Regard should also be had to policy SD SP1 of the ALP which states that: "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." It is considered that the site is in a sustainable urban location within reasonable walking and cycling distance of shops, facilities & services. Whilst the private car would inevitably be required for some trips, future residents would have a realistic choice of transport options.

It is also noted that the National Planning Policy Framework (NPPF) advocates the effective use of land. Paragraph 118 (d) 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".

HERITAGE ASSETS:

The site is within the Craigweil House Conservation Area and as such it is necessary to consider ALP policy HER DM3 and the Council's associated supplementary guidance. HER DM3 states that

"In order to preserve or enhance the character or appearance of the Conservation Area, planning permission or relevant consent will normally be granted for proposals within or affecting the setting of a Conservation Area, provided that (relevant criteria only):

(a) New buildings and structures acknowledge the character of their special environment in their layout, form, scale, detailing, use of materials, enclosure and the spaces created between buildings;

(c) Traditional features such as shop fronts, walls, railings, paved surfaces and street furniture are retained and restored;

(e) It retains historically significant boundaries, important open spaces and other elements of the area's established pattern of development, character and historic value, including gardens, roadside banks and verges;"

(f) It does not harm important views into, out of or within the Conservation Area."

The description of Wychwood Walk & Wychwood Close given in both the Craigweil House Conservation Area Statement and the Aldwick Parish Design Statement (APDS) is as follows:

"Grass verges with no pavement characterise the roadside of this area enhancing the informal character of the estate. There is a predominance of buildings of a similar shape, with detailing and fenestration providing a visual continuity in the street scene. Distinguishing and attractive features of this area are the leaded roofs to a number of entrance porches. The sense of a planned estate with a distinctive continental feel prevails. A regular building line characterises the roads and the curvature in the road at the eastern end of Wychwood Close where it joins Kingsway. This adds to the informality of the estate."

The Council's Supplementary Guidance Note on Conservation Areas is also noted.

The application has been assessed by the Council's Conservation Officer, its expert on matters of heritage. The Conservation Officer considers that the design includes elements from the 1930's and that although, the overall design is modern, this shouldn't be considered harmful to the established character of the area. The overall view is that the proposal will have a neutral impact upon the appearance and character of the local area - and can therefore be supported.

On this basis it is considered that the proposal complies with policy HER DM3 and with the

supplementary guidance on Conservation Areas.

DESIGN & CHARACTER:

It is noted that there are local resident objections to the proposal on the grounds that the proposed house will be overbearing in that the front two storey building line is not respected.

Policy D DM1 of the Arun Local Plan requires that the Council have regard to certain aspects when considering development proposals including:

(1) Character - "Make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping, and design features.";

(2) Appearance/attractiveness - "Demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area";

(13) Density - "The density of new housing will make efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. Proposals should take into account the density of the site and its surroundings. The density of large sites should be varied to guard against uniformity"; and

(14) Scale - "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."

Furthermore, policy D SP1 "Design" states that:

"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. Development proposals should have been derived from: a thorough site analysis and context appraisal; adherence to objectives informing sustainable design (inclusivity, adaptability, security, attractiveness, usability, health and wellbeing, climate change mitigation and habitats); and the influence these objectives have on the form of the development. With major developments or allocated sites in the Development Plan, in addition to a Design and Access Statement, a context appraisal, context plan and analysis of the site will also be required."

Paragraph 127 of the NPPF states that "Planning policies and decisions should ensure that developments: (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and (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)."

It is considered that the site layout reflects the character of the area in that it is two storeys in height, provides space on both sides of the building, respects the existing building line, has a driveway to the front and maintains the existing low front boundary treatment. It is also considered to have an attractive design, includes a chimney stack and a relatively low roof (which is only marginally higher than the two adjacent houses). It is acknowledged that the house will be two storeys over the whole of its footprint and that this is in contrast to the two adjacent houses which both have a single storey front garage projection. However, it is noted that there are other houses within the street scene with two storeys up to the established front building line. It is also considered that this has the potential to add visual interest to the streetscene without harming amenity.

It is also noted that the Councils Conservation Officer raised no objection and has also given approval to the proposed materials. The proposal is therefore considered to comply with Arun Local Plan policies D DM1, D SP1 and with the guidance on design within the NPPF.

CAR PARKING:

There are local resident objections to the proposal on the grounds of insufficient parking.

Arun Local Plan policy T SP1 states in respect of parking that:

"The Council will support transport and development which: incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking"

The Council uses the West Sussex Demand Calculator to assess the likely parking demand of residential developments. This calculates a likely parking demand of 3 cars as based on the size of dwelling and proposed parking (2 driveway spaces, 1 garage space). Therefore, the proposal is in accordance with the demand. In addition, it is considered that cycles could be stored within the additional area of the garage.

The proposal is considered to provide sufficient parking and therefore complies with Arun Local Plan policy T SP1.

TREES:

Policy ENV DM4 of the Arun Local Plan states that "Development will be permitted where it can be demonstrated that trees protected by a Tree Preservation Order(s), (TPO) identified as Ancient Woodland, in a Conservation Area or contributing to local amenity, will not be damaged or destroyed now and as they reach maturity, unless development:

- a. Would result in the removal of one or more trees in the interests of good arboricultural practice. This shall be demonstrated by the developer following the advice of a suitably qualified person which shall be guided by BS 5837 (2012). Details of any advice received having regard to BS 5837 (2012) shall be submitted, in writing, as part of a planning application; or
- b. Would enhance the survival and growth prospects of other protected trees;
- c. The benefits of the proposed development in a particular location outweigh the loss of trees or woodland, especially ancient woodland."

The application proposes to fell 4 trees within the rear garden. The Councils Tree Officer has raised no objection to this and also considers that the proposed protection to the two notable off-site trees is acceptable. The applicant has also stated that they are willing to plant a new tree within the front verge to replace that felled by the previous owner. The proposal is therefore considered to comply with Arun Local Plan policy ENV DM4.

RESIDENTIAL AMENITY:

There is a local resident objection to the proposal on the grounds of overlooking of the rear garden to 55 Kingsway from the proposed balcony.

Arun Local Plan policy D DM1 requires that the Council have regard to certain aspects when considering new development including: (3) Impact - "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." Regard should also be had to paragraph 127 of the NPPF which states that

"Planning policies and decisions should ensure that developments: (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."

As a result of its siting (similar building lines), similar height, the lack of flank windows on neighbouring dwellings and the presence of large trees to the rear, it is not considered that the proposal will result in any loss of light or privacy to the two adjoining dwellings. Furthermore, the proposed dwelling will be a sufficient distance from the nearest houses to the rear.

A balcony is proposed to the front and this will face out towards the rear garden of 55 Kingsway on the other side of the road. The applicant has agreed to the installation of a screen to the side of this balcony (preventing views out over the front of no. 8) but a screen to the front would defeat the purpose of having a balcony. It is accepted that the balcony would allow views of 55's rear garden, however these are unlikely to be materially greater than those from bedroom windows. Furthermore, these views are across a road at a distance of 17m (which is only 3m short of what the Council would normally look for in back to back arrangements). It is also noted that this a front balcony and although it will get used, it is unlikely to be a private space for the new occupants (due to views from other peoples windows - except when the occupants are seated) and so may not be as popular a space in practice.

A planning condition will be imposed to ensure that the new first floor flank windows are obscure glazed and to remove permitted development rights for extensions/alterations so that these can be subject to future planning assessment.

The proposal is therefore considered to comply with Arun Local Plan policy D DM1.

SPACE STANDARDS:

Arun Local Plan policy D DM2 states that: "The planning authority will require internal spaces to be of an appropriate size to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance".

It is therefore necessary to assess the proposal against the internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard) in order to determine whether the proposed replacement dwelling is suitable for residential use. The requirement for a two storey, 4 bedroom, 7 person dwelling is 115m² but the proposed dwelling far exceeds this standard (at around 185m²).

Policy D DM1 refers to the need for compliance with the Arun Design Guide. This is to replace policy D DM3 "External Space Standards" which was deleted at the request of the Local Plan Inspector. Until such time as this Design Guide is published, there is no policy within the Arun Local Plan regarding private gardens sizes.

However, paragraph 127 of the NPPF does state that: "Planning policies and decisions should ensure that developments: (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."

The proposed house will have a private rear garden with a useable depth of at least 10m. The garden is also similar in shape and size with that of the two adjoining plots. It is therefore considered that the scheme provides a good standard of amenity for future occupiers.

It is therefore considered that the proposal complies with Arun Local Plan policies D DM1 & D DM2 and the guidance on amenity within the NPPF.

PAGHAM HARBOUR:

Arun Local Plan policy ENV DM2 requires that all new residential developments within a 400m to 5km distance ('Zone B') of Pagham Harbour make a financial contribution towards the provision of accessible natural open green spaces to serve the area. A contribution of £1,275 per new residential unit was agreed by the Councils Cabinet on 20 July 2015. The report to Cabinet stated that:

"The access management measures identified are referred to as Strategic Access Management and Monitoring (SAMMs). As these do not include the allocation of specific land, they are not classified as physical infrastructure, and are not included under the definition of infrastructure within Section 216 of the Planning Act 2008, meaning the pooling restrictions as set out under Regulation 123 of the CIL Regulations (2010) as amended, do not apply. It is common practice by many other authorities (for example Elmbridge) that contributions towards SAMMs are gathered through S106 planning obligations. This approach has also been confirmed within Counsel advice sought by the Council. As a contribution is required to make the development acceptable in planning terms, it is therefore in compliance with the tests under Regulation 122 of the CIL Regulations (2010) as amended"

The Councils Cabinet subsequently approved a reduction in the tariff from £1,275 to £871 as of the 10th April 2017.

Paragraph 014 (Reference ID 23b-014-20160519) of the Planning Practice Guidance describes tariff style contributions. It clearly states that these consist of contributions to pooled funding 'pots' intended to fund the provision of general infrastructure in the wider area. The Council accepts that the Pagham Harbour contribution is based on a tariff. However, the contribution is required to fund strategic access management and monitoring measures (SAMMs) which are necessary to meet the requirements of European law (transposed into English law through the Conservation of Habitats and Species Regulations 2010). Essentially this requires the Council to maintain, if not improve, the existing condition of the site.

As these SAMMs do not include the allocation of specific land, they are not classified as physical infrastructure, and are not included under the definition of infrastructure within Section 216 of the Planning Act 2008, meaning that the pooling restrictions as set out under Regulation 123 of the CIL Regulations (2010) as amended, do not apply.

Therefore, it is considered that the Council is able to seek these contributions despite the guidance in PPG Paragraph 031 (Reference ID: 23b-031-20160519009) that tariff style planning obligations should not be sought from small scale developments. This has also been tested at appeal on several occasions. For example, APP/C3810/W/16/3146804 which concerned a single dwelling in nearby Aldwick.

The application site lies within the designated Zone B and accordingly it was necessary to apply this requirement. The net increase in 1 dwelling results in a contribution of £871 at the current rate and it is this that is secured by the signed legal agreement.

SUMMARY:

The proposed development is considered to represent an efficient use of a currently under-utilised urban brownfield site and there is no objection in principle to the development. The concerns of the local residents are noted however the above assessment concludes that the proposal is acceptable in all respects and complies with all of the relevant development plan policies. It is therefore considered that this application should be approved subject to the conditions set out below and the signed S.106 legal agreement covering a financial contribution in respect of Pagham Harbour.

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.

SECTION 106 DETAILS

This decision will be granted in conjunction with a Section 106 legal agreement relating to a contribution of £871 towards Pagham Harbour Access Management Mitigation Measures.

RECOMMENDATION

- 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/documents:

1685-1.01 Rev A "Site Survey";
1685-2.01 Rev A "Site Plan, Block Plan, Location Plan";

1685-2.02 Rev C "Proposed Plans and Elevations";

TPP01 "Tree Protection Plan" (June 2018); and

The list of materials as included in emails from Dawn Appleton dated 10/10/18 & 28/11/18.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and HER DM3 of the Arun Local Plan.

- 3 Before the site is occupied or any machinery is introduced to the site or demolition work or construction work or alterations to existing ground levels takes place, the Arun DC Tree Officer must have the opportunity to inspect all protective fencing to verify it is 'Fit for Purpose' as required under British Standard 5837:2012 and has been erected and positioned exactly as shown/described on the Tree Protection Plan, dwg.no. TPP 01, dated June 2018.

Reason: To comply with BS5837, policy ENV DM4 of the Arun Local Plan and the National Planning Policy Framework 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.

- 4 The balcony hereby approved shall not be used until the 1.7m high non-reflective obscure glazed glass side screen has been installed to its eastern side. This screen shall thereafter be permanently retained in perpetuity.

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

- 5 If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones then prior to their installation, a Method Statement prepared by an Arboricultural Expert must be submitted to the Local Planning Authority and this shall stipulate how this can be achieved without adverse impact on tree roots. No development of any such utility service route connections will then commence unless and until written approval has been obtained from the local planning authority.

Reason: To comply with BS5837, policy ENV DM4 of the Arun Local Plan and the National Planning Policy Framework 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.

- 6 The first floor bathroom and landing windows on the eastern and western elevations of the building shall at all times be glazed with obscured glass and fixed shut up to 1.7m from the floor level.

Reason: To protect the amenities and privacy of the adjoining properties in accordance with policy D DM1 of the Arun Local Plan.

- 7 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 alterations or extensions to the roof of the dwelling house (including dormer window extensions) shall be constructed unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the character and appearance of the Conservation Area and the privacy and amenity of adjacent occupiers in accordance with policies D DM1 and HER DM3 of the Arun Local Plan.

- 8 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.

- 9 INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to a financial contribution of £871 towards the Pagham Harbour Access Management Mitigation Measures.
- 10 INFORMATIVE: Drainage Engineers advise that there may be a culverted ordinary watercourse present along the rear site boundary and the applicant should note that if anything is discovered whilst carrying out site works they should contact the Councils Drainage Engineers directly. Please also note that no building should be located over or within 3m of an ordinary watercourse.
- 11 INFORMATIVE: The applicant has indicated their agreement to plant a new tree to replace the Red Oak that was previously situated on the verge outside of the application site. This tree should be planted in the same place or within 4m of the previous position. The tree should be of standard nursery stock proportions (Extra Heavy Standard 14-16cm girth & 3m to 4m overall height), supported on a 'short stake' system with appropriate securing ties & pads, and ideally selected from either Red oak (*Quercus rubra*) or Sweet gum (*Liquidambar styraciflua*). This tree shall be planted during the first winter following completion of all construction activity at the site.