

Recommendation Report for Planning Permission

REF NO: A/10/22/PL

LOCATION: The Decoy
Decoy Lane
Angmering
BN18 9QA

PROPOSAL: Part demolition and rebuild, and part conversion of existing stable and barn buildings to 1 No. habitable dwellinghouse. This application may affect the setting of a Listed Building. This application is in CIL Zone 3 and is CIL liable as new dwelling (Resubmission of previously approved A/17/18/PL).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is for the part demolition and rebuild, and conversion of a stable and barn to a single storey three-bed residential unit. External masonry walls would remain, the roof would be stripped and heightened and a link between detached barn and the other outbuildings is proposed.
SITE AREA	1764.80 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	5.7 dwellings per hectare
TOPOGRAPHY	Predominantly flat.
TREES	None to be felled as a result of the development.
BOUNDARY TREATMENT	Post and wire and ranch style fencing to fields with some hedging.
SITE CHARACTERISTICS	Four single storey agricultural units, two timber frame buildings used as stables, one with masonry used a garage and workshop located around a hard surfaced court yard area and the barn with masonry walls to the rear. The site is in a woodland setting. Decoy Cottage, a Grade II Listed Building, is to the south.
CHARACTER OF LOCALITY	The area is rural in character with Decoy Cottage isolated at the end of Decoy Lane. The nearest residential development is approximately 500m to the west of the site. The Old Stables at the entrance to Decoy Lane benefits from planning permission for the operation of a B1/B2 business use.

RELEVANT SITE HISTORY

A/17/18/PL	Conversion of stables & barns to form 1No. 3 bedroom dwelling with associated works	ApproveConditionally 12-07-18
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REPRESENTATIONS

Angmering Parish Council: No objection.

No letters of objection received.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

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.

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

ADC Engineers (Structural): The construction method statement and propping is considered acceptable.

ECOLOGY ADVISOR: No objection subject to conditions and informatives.

HIGHWAYS ENGLAND: Have not been consulted, however they were consulted on the previous application (almost identical to the current) and did not have any objections.

PRINCIPAL CONSERVATION OFFICER: No response received.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Outside Built Up Area Boundary;
Adjacent to a Listed Building;
Prone to Groundwater Flooding Area;
Superficial Deposits;

Charging Zone 3.

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
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM5	ENV DM5 Development and biodiversity
HDM4	H DM4 Conversion of rural buildings for residential use
HERDM1	HER DM1 Listed Buildings
HERSP1	HER SP1 The Historic Environment
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QEDM4	QE DM4 Contaminated Land
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
TSP1	T SP1 Transport and Development
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management

Angmering Neighbourhood Plan 2014 POLICY EH1 Development in the Conservation Area

Angmering Neighbourhood Plan 2014 POLICY EH2 Protect the Landscape setting of the South Downs National Park

Angmering Neighbourhood Plan 2014 POLICY HD1 Built-up Area Boundary

Angmering Neighbourhood Plan 2014 POLICY HD4 Materials

Angmering Neighbourhood Plan 2014 POLICY HD8 Parking for 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 in the Angmering Neighbourhood Plan have been taken into account in the determination of this application.

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 accord with conversion policy H DM4, and accordingly policy C SP1, and 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.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

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, conversion of rural buildings, design and visual amenity, the setting of a Listed Building, residential amenity, highways/traffic and space standards.

PRINCIPLE

The site falls outside the built-up area boundary in the countryside where policy C SP1 of the Arun Local Plan applies.

Policy C SP1 of the Arun Local Plan states in criteria a-f the development which is permitted within the countryside. Criterion a. affirms 'development will be permitted in the countryside where it is for the operational needs of agriculture, horticulture, forestry...' and criterion f. concludes 'development is in accordance with other policies in the Plan which refer to a specific use or type of development'.

The proposal does not accord with the range of developments which may be permitted in the countryside in Local Plan Policy C SP1 unless under f. where there is a specific policy in the plan which allows for development. Policy H DM4 allows for the conversion of rural buildings for residential use in certain

circumstances.

Policy H DM4 requires compliance with the following criteria:

The first is a requirement that evidence is submitted to demonstrate that reasonable attempts have been made to market and use the premises for business purposes or that residential conversion is a subordinate part of a scheme for business reuse. No evidence has been submitted in this respect. However, the agent has stated in the planning statement that the buildings are in relatively close proximity to the listed property 'Decoy Cottage' where commercial uses and associated traffic would represent an unneighbourly use and not be desirable. The farm buildings have no visibility from the main road making them an unattractive option for many commercial uses. On this basis it is considered that non compliance would be acceptable.

The second criteria of Policy H DM4 is that the building should be structurally sound, of permanent construction and capable of conversion without rebuilding or significant alteration or extension. The advice of a structural surveyor has been sought. The application is supported by a Structural Survey which concludes the buildings are structurally sound and could support a residential reuse, although some alterations and replacement of stables are required. ADC Engineers (Structural) conclude that the replacement of existing stables with a new build would make sense as the stables are unlikely to have any foundation and be built straight off a ground slab. This would make the replacement of the internal slabs proposed in all buildings somewhat precarious as the stables would need to be suspended in mid-air whilst new foundations and slabs are constructed. They consider the construction method statement and proposed propping to be acceptable.

The resultant development and the residential use would unlikely have an adverse impact on the rural character of the area. The main change would be the height of the roof over the eastern wing which would have a higher pitch at 4.29m in comparison with the existing height of 3m and roof ridge of the other stable structure would be raised up to 4.4m. There would be changes to the position and style of doors and windows on all elevations except for the more prominent (southern) elevation which remains as approved under reference A/17/18/PL.

The conversion would be unlikely to generate a significant increase in traffic levels or activity than the previous use and the rural character would not be materially altered. The car parking area of the existing dwelling would be adjacent to the site and car parking for the converted building would be located adjacent to the existing access. It would have no adverse effect on the visual amenities and rural character of the locality.

The conversion would satisfy the requirement of policy H DM4 of the Arun Local Plan.

Paragraph 80 of the NPPF states that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply: (c) the development would re-use redundant or disused buildings and enhance its immediate setting; (e) would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area. Paragraph 85 of the NPPF encourages the use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

Policy SD SP1 "Sustainable Development" states the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will work to secure development that contribute to the social, economic and environmental conditions south of the National Park through to the coast and throughout its settlements (both coastal and inland).

The Angmering Neighbourhood Development Plan policy HD1 states the development of Angmering village shall be focused in the Built-up Area Boundary and will generally be permitted subject to meeting

other policies in the Plan.

Paragraph 174(b) of NPPF states planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

The NPPF is an important material consideration in determining applications. It sets out a presumption in favour of approving sustainable development. This means under 11c approving development that accords with an up-to-date development plan or at d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed ; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The dwelling would make a contribution toward a general need for housing and there would be overall social gain albeit limited. Whilst the location of Decoy Lane lacks local facilities/amenities, there is a bus stop along A27 in a close proximity of Decoy Lane and there is a cycle/pedestrian link along the A27 towards Angmering to promote sustainable transport.

The principle of the conversion of outbuildings to a 3 bed dwelling was established under A/17/18/PL.

COMPLIANCE WITH CONVERSION POLICY H DM4

Policy H DM4 requires compliance with the following criteria:

The first is a requirement that evidence is submitted to demonstrate that reasonable attempts have been made to market and use the premises for business purposes or that residential conversion is a subordinate part of a scheme for business reuse. No evidence has been submitted in this respect. However, the agent has stated in the planning statement that the buildings are in relatively close proximity to the listed property 'Decoy Cottage' where commercial uses and associated traffic would represent an unneighbourly use and not be desirable. The farm buildings have no visibility from the main road making them an unattractive option for many commercial uses. On this basis it is considered that non compliance would be acceptable.

The second criteria of Policy H DM4 is that the building should be structurally sound, of permanent construction and capable of conversion without rebuilding or significant alteration or extension. The advice of a structural surveyor has been sought. The application is supported by a Structural Survey which concludes the buildings are structurally sound and could support a residential reuse, although some alterations and replacement of stables are required. ADC Engineers (Structural) conclude that the replacement of existing stables with a new build would make sense as the stables are unlikely to have any foundation and be built straight off a ground slab. This would make the replacement of the internal slabs proposed in all buildings somewhat precarious as the stables would need to be suspended in mid-air whilst new foundations and slabs are constructed. They consider the construction method statement and proposed propping to be acceptable.

The resultant development and the residential use would unlikely have an adverse impact on the rural character of the area. The main change would be the height of the roof over the eastern wing which would have a higher pitch at 4.29m in comparison with the existing height of 3m and roof ridge of the

other stable structure would be raised up to 4.4m. There would be changes to the position and style of doors and windows on all elevations except for the more prominent (southern) elevation which remains as approved under reference A/17/18/PL.

The conversion would be unlikely to generate a significant increase in traffic levels or activity than the previous use and the rural character would not be materially altered. The car parking area of the existing dwelling would be adjacent to the site and car parking for the converted building would be located adjacent to the existing access. It would have no adverse effect on the visual amenities and rural character of the locality.

The conversion would satisfy the requirement of policy H DM4 of the Arun Local Plan.

HERITAGE ASSETS

The site is in the setting of a Grade II Listed Building, Decoy Cottage. HER SP1 states designated heritage assets including Listed Buildings and their settings will be given the highest level of protection and should be conserved and enhanced in a manner appropriate to their significance. HER DM1 remarks that proposal affecting statutory Listed Buildings will be required to protect and where possible enhance the setting of the building.

The objective of policy EH1 of the Angmering Neighbourhood Development Plan is to ensure heritage assets are preserved and the rural built form of the area is safeguarded and protected from development.

It is necessary to consider guidance in the NPPF which sets out several steps when considering impact on heritage assets. Para 194 requires applicants to describe the significance of heritage assets affected, including any contribution made by their setting. Para 195 requires Local Planning Authorities to identify and assess the particular significance of the heritage asset that may be affected by a proposal. The Local Planning Authority must then consider the level of harm associated with the proposal and decide whether there is any harm and if so, whether this is 'less than substantial harm' or 'substantial harm'. It is then necessary to counterbalance harm with the level of public benefits associated with the proposal (as set out in paras 199-202).

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that when considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The stable and barn have been under-utilised and not used for their original purpose in the recent past and some areas have deteriorated in condition. The conversion of barns and replacement of stables is proposed resulting in a 3 bed dwelling. The conversion would retain architectural features present in the buildings and conversion work would be undertaken without unacceptably altering the appearance and character of the buildings. The proposal would avoid the creation of a suburban style curtilage. The rear barn (northern) would be linked with a U shape structures via a neck and the height of the eastern wing would be increased by 1.29m bringing it to the level of the western wing. The highest part of development (4.4m) would be the re-built stable (in the middle). The footprint of both re-built stables would be widened. New openings for windows are kept to a minimum on the outward facing elevations, sufficient to enable the buildings to function as a dwelling without affecting the character of the buildings. Glazed doors are proposed to the southern elevation of Building 3 to maximise solar gain and natural daylight. This elevation faces into the courtyard and is not readily visible from outside the site.

The proposal would not adversely affect the setting of the adjacent Listed building. It would not result in buildings of urban appearance and consequently would not detract from the rural appearance and character of the buildings which contribute to the rural setting. The Principal Conservation Officer has been consulted but no response received. However the application would cause less than substantial harm to the significance of the heritage assets or their setting at lower end in accordance with paragraph 202 of the NPPF(2021). Therefore the public benefits that the development may achieve should be considered which include sustaining or enhancing the significance of a heritage asset and the contribution of its setting.

The potential impact of the proposed conversion of the group of outbuildings would be outweighed by the benefits of bringing these structures back into use since without regular use and maintenance they would quickly deteriorate and fall into ruin and resulting in their loss. This new use would ensure their future and retain and would preserve and enhance the setting of the adjacent Listed Building. In addition, the conversion would provide a new dwelling.

The development satisfies requirements of NPPF, Section 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 and policy HER DM1 of the Arun Local Plan.

RESIDENTIAL AMENITY

The Arun Local Plan policy D DM1 requires the Council have regard to certain aspects when considering development including having minimal impact to users and occupiers of nearby property and land. Policy QE SP1 states: "The Council requires that 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".

The dwelling would be a single storey and would be situated 16.5m to the north of Decoy Cottage. Therefore the conversion of outbuildings to residential would not give rise to any unacceptably adverse impacts on the amenity of neighbouring properties and would comply with policies D DM1 and QE DM1 of the ALP.

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 proposing 181 square metres for a 3 bed 1 storey dwelling whilst 74 square metres is required. 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.

Regard should be had to paragraph 130(f) of the NPPF(2021) which requires that new development has a high standard of amenity for existing and future users.

The size of the plot is large enough to allow an ample of Residential Outdoor Amenity 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).

Policy HD8 of the ANDP requires parking provision to be clearly demonstrate it is adequate and discourages on-road parking.

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.

The Parking Standards Supplementary Planning Document, (Jan 2020) for a 3 bed property in this type of location (Parking Behaviour Zone 2) requires a minimum of 2 car parking spaces on site. The site plan shows at least 3 parking spaces that would satisfy the requirement of the standard.

Parking Standards require 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 which already serves Decoy Cottage. The amount of traffic generated by one dwelling would be less than the stables have generated in the past.

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, Policy HD8 of the ANDP and according Arun District Council Parking Standards subject to suggested conditions.

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 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 arboticultural impact assessment to include a tree protection plan and arboricultural method statement.

These ensure development is planned to take a comprehensive view of tree issues at an early stage in the design process and that development works do not have a negative impact on existing trees.

The ANDP policy EH2 points out on performance and hedgerows of trees a number of important roles as wildlife corridors, in supporting biodiversity, providing attractive shade and generally improving health and amenity. In addition they play an important role both in the management of groundwater and in helping Angmering adapt to the future effects of Climate Change.

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

An Arboricultural Assessment & Method Statement has not been provided by applicant but a Tree Report has which states: "There will be new construction of wall and foundation within 7m of an existing tree to the North East of the building. The existing building encroaches into the RPA by 15.9% already, and the footprint of the existing and proposed building will only encroach into the RPA by a total of 18.0%, under the allowable 20% amount."

A pre-commencement condition will be imposed to ensure the retention and maintenance of trees and vegetation which are an important feature of the area and to comply with policies ENV DM3 and ENV DM4 of the Arun Local Plan, policy EH2 of the Angmering Neighbourhood Development Plan and NPPF's paragraph 131.

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.

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 proposal site is at the southern extent of Decoy Lane, to the northwest of Angmering village centre within a rural area immediately surrounded by a network of treeline fields. Two large water bodies are located 120m from the site.

A Bat Emergence Survey was undertaken and there were moderate levels of bat activity and a further emergence survey was undertaken and submitted with the previous application for the same site and it concluded that roosting bats are not considered an ecological constraint to the development and a sensitive light strategy is recommended.

The submitted Phase 1 Daytime Bat Assessment has been assessed by CDC Ecology Adviser and there is no objection to this 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).

The proposal is for the conversion of rural outbuilding. The potential impact of the proposal could be blended into the environment; landscape provision to the dwelling and improvement with native species infill plus further boundary screening is required and information on Biodiversity Net Gain will need to be provided.

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

CLIMATE CHANGE:

ALP policy ECC SP2 requires residential development be energy efficient and incorporates decentralised, renewable and low carbon energy supply systems.

The applicant in their Planning Statement states advice was sought from architects on ways in which the energy efficiency and layout of the scheme can be improved. For this reason the stable buildings would be replaced with a new building to achieve a higher U-value. An air source heat pump will be installed close to the kitchen/utility area in the least visible part of the site. A charging point for an electric vehicle will be provided.

However, as there are no details of the proposed technologies or precise materials, a condition would be necessary to secure compliance with the policy. A condition is also proposed to ensure an electric car charge point is provided at the property.

SUMMARY

The proposal is considered to comply with relevant Development Plan policies in that it would accord with conversion policy H DM4, and accordingly policy C SP1, and 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.

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 1443/01c Location Plan and Block Plan;
Dwg No 2.04 Proposed Roof Plan and Sections;
Dwg No 2.03 Proposed Site Plan;
Dwg No 2.02 Proposed Elevations;
Dwg No 2.01 Proposed Floor Plans.

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

- 3 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for the repaired walls/cladding and roofs of the proposed conversion have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the conversion 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 District Local Plan.

- 4 Prior to installation of any doors or windows precise details of the openings and window frames, casements, the arrangement of glazing bars, the set-back of the frames from the external wall face shall be submitted to and approved by the Local planning Authority and the development shall proceed in accordance with the details so approved.

Reason: In order that the rural character of the building is preserved in accordance with policies H DM4 and D DM1 of Arun District Local Plan.

- 5 No part of the development shall be first occupied until the car parking spaces have been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. These spaces shall thereafter be retained at all times for their designated use.

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

- 6 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.

- 7 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority. The cycle spaces so approved shall be maintained in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with policy TSP1 and the Arun Parking Guide SPD.

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

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

- 9 The air source heat pump described in the application and indicated on the drawings hereby permitted shall be provided and operational prior to the occupation of the dwelling hereby permitted and shall thereafter be maintained as such.

Reason: In order to secure on site renewable energy in accordance with national planning policy and in accordance with Policy ECC SP2 of the Arun Local Plan.

- 10 Prior to occupation of the dwelling details of Biodiversity Net Gain shall be submitted to and approved by the Local Planning Authority. The details so approved shall be implemented no later than 6 months following the occupation of the dwelling and permanently retained thereafter.

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

- 11 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 a PRE-COMMENCEMENT Site Meeting is to take place between the Planning Authority's Tree Officer and the Arboricultural Expert representing the site owner(s) or Site Manager - at this

meeting all protective fencing will be inspected to verify it is 'Fit for Purpose' as required under British Standard 5837:2012.

Reason: To ensure the retention and maintenance of trees and vegetation which are an important feature of the area in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as the protection and retention of trees goes to the heart of the planning permission.

- 12 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.

- 13 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.

- 14 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.

- 15 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.

- 16 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.

- 17 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.