

REPORT UPDATE

Application No: A/8/18/PL

Reason for the Update / Changes

Reason for Update:

Additional plans and comments

The agent has checked the site dimensions and confirmed drawings No ADC 962/04A, 13A & 14A are correct as built and do not need amending to reflect what has been built. Drawing ADC 962/18 shows the approved building outline in red. The footprint is generally in line with the approved scheme but there are small discrepancies because the foundations had to be piled and piling is not always an exact science.

Two of the columns, and therefore the first floor structure, is 150mm closer to the southern boundary. Following receipt of this plan the application was re-advertised.

For further clarification the agent has submitted a revised first floor and roof plans ADC 962/13B with the outline of the approved scheme dotted in red. He also submitted a further cross section plan indicating the dimensioned internal floor height of windows on both side elevations is 1.5m..

The Council's Solicitor has been re-consulted given the additional information submitted by the neighbour regarding land ownership. and confirmed that having considered the documents he had nothing to add to his previous advice.

5 additional objection representations largely re-iterating concerns already referred to in report::

-size and positioning of the windows cause material harm to local residents. The application refers to slight changes in sizes however the overbearing nature of the building changes the character of the neighbourhood.

- During the planning process residents were assured that their privacy would not be compromised by the development. Now that the building is built we discover that this is far from the case.

- The current application shows the fully opening windows that have been installed instead of the escape roof lights approved by the committee. These installed windows appear to be 30% larger than those shown in the approved plans. The positioning and cill height of the windows mean they give a direct view into neighbouring properties. Surely this was never the committee's intention when approving the plans. My understanding was that the approved roof lights would not have opened except in an emergency.

- The building is so close to my house that I have stood at my upstairs window and spoken, without raising my voice, to builders stood in the new fully opened windows.

- The development overlooks the rear the neighbouring properties where the secondary bedrooms are located. These rooms are predominately children's bedrooms.

- With the heightened awareness of child endangerment is it not both inappropriate and potentially dangerous to have a direct view into these rooms.

- The problem persists outside, our gardens are short, the new building is high and the windows give a clear view into our gardens. Parents expect their children to be able to play safely and without worry in their own gardens.

- I would like the committee to defer any decision and make a site visit and I invite you into my home to see the effect this development has.

- I also ask the committee to act to ensure the position, height and type of windows only allow light into

the dwelling and not a view out. This could be achieved by installing fixed glazing with an increased sill height of at least 1.8m or even using obscure glass. The large fully opening conventional window on the west elevation does not overlook any property, it provides light, ventilation and a view. This window could be fitted with appropriate equipment to be used as a fire escape.

- The application also refers to an alteration in the size of the building, the applicant refers to these as slight. As the submitted plans do not have all the measurements on we are unable to verify if these are actually wholly correct and the line of the wall and kerb marking the south boundary infringes on the shared alleyway which does not belong to the developer.

- The plans are also incorrect as they show the alleyway running the length of the site whereas the alleyway terminates at the boundary with No.5. The Cottrells - this can be verified with the most recent land registry plans. This has to question if the plans have been drawn from the correct source.

- Regardless of any boundary disputes outside the remit of planning, surely the plans for this application should be fully complete so the committee can make an informed decision.

- The term "rooflights" is misleading and incorrect. These are not rooflights but full size opening windows. .

- It has been obvious from day one that the developer never intended to keep to the approved plans and adhere to the planning conditions. The promised kerb making the boundary clear between the site and the ally running behind houses 1-5 has been built on private land that the developer does not own. This has also restricted use of a crucial drain cover.

- it appears that the internal layout of the property has been changed by putting a kitchen upstairs against planning approval so that a third bedroom can easily be accommodated in what has been called an occasional room. This is a blatant disregard for the planning process and an obvious attempt to increase the value of the development. This would most likely lead to the property requiring several car parking spaces and in an already congested road which does not have the capacity for its current occupants this would cause a great deal of further disruption.

- The development plans detailed two car parking spaces directly off from the road. These spaces would require a drop kerb for access. It appears the developer has no intention of correcting this issue. This has not even been applied for via the Highways commission yet and without this the two spaces are rendered useless.

- The landscaping, consisting of several plants and 2 small trees are already dying as there is no soil to sustain them in their position. It has still not been confirmed who will pay for and maintain this area underneath the building and the car parking spaces themselves.

I strongly recommend that this application is refused. To date the developer has ignored most if not all of the condition set upon this build and therefore to approve conditionally would mean that he would most certainly ignore any further conditions set.

- additional drawing ADC962/18 showing the amended footprint does not match what has been built with regards to the internal layout of the ground floor. There is a new door within the room identified as the KITCHEN that opens into what is identified as the WC. A shower cubical (with chrome edging and handle) can be clearly seen in this room. Also there do not appear to be any mains sockets in the walls at worktop height which is a common feature in all kitchens. Neither the door or shower are shown on drawing ADC962/18.

- The as built layout matches that in drawing ADC962/04 submitted for application A/162/17/PL with Bedroom 1 with an en-suite shower room downstairs. This application was refused in 2017. As no kitchen has been installed downstairs, one can assume that the intention must be to install it upstairs. The refused application defined a three bedroom scheme with a galley kitchen in the upstairs living area.

- The conditionally approved A/173/16/PL is for a two bedroom property and it has an appropriate garden size and one allocated parking space for this scheme. There were many letters of objection to the creation of a three bedroom property as it is more likely that the household would have a second car which would materially impact the already congested parking situation in The Cottrells.

- Condition 2 of Conditionally Approved A/173/16/PL identifies that no external or internal changes are permitted without approval. The downstairs layout appears to have been built as a bedroom with en-suite

shower room, not a kitchen plus WC.

- The submitted plans therefore do not match what has been built. Can they be considered as a valid document for the application?

Officers Comment:

There is no additional officer comment.

Note: The changes to recommendation conditions are attached on the amended replacement recommendation sheet.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

Recommendation Report for Planning Permission

REF NO: A/8/18/PL

LOCATION: Land Rear of 1 To 6
The Cottrells
Angmering
BN16 4AF

PROPOSAL: Variation of condition 2 imposed under A/173/16/PL to read 'the development to be carried out in accordance with the following approved plans ADC 962/04 REVA, ADC962/13 & ADC962/14 relating to slight repositioning & change in size of building, revised position of rooflights on east, north & south elevations. This application affects the character & appearance of the Angmering Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above. The proposal is for amendments to a detached 2 storey development of modern design. The property has a height of 6.7m and is L shaped with a rear length of 14.3m and a side length of 10m. 5 car ports and 2 parking spaces are provided at ground floor, together with a kitchen/dining area to serve the 2 bedroom dwelling. A rear garden area of 28 sq m is also included.

The proposal relates to the revised position of rooflights on the east, north and south elevations. One of the rooflights on the south elevation would be lower than previously approved, but the same height as the other 2 approved on that elevation, 2 on the east elevation are the same height as approved, one is higher and on the north elevation 2 of the windows are higher than approved.

The other alterations relate to an increase in length of the rear elevation of the building by 0.1m. The revised internal layout has provided a larger lounge area and deleted an en-suite

	bathroom at first floor. The ground floor kitchen/dining area has been altered to a kitchen and the stairs have been slightly re-positioned.
SITE AREA	0.03 hectares
TOPOGRAPHY	Predominantly flat.
TREES	None affected by this application.
BOUNDARY TREATMENT	Walling enclosing part of frontage and side boundary to approximately 1.5m in height and close boarded fencing to the rear to approximately 1.8m in height on top of flint walling to rear. Small section of flint walling to 2m in height in rear corner of site.
SITE CHARACTERISTICS	The building is currently under construction and is nearing completion.
CHARACTER OF LOCALITY	Predominantly residential characterised by a mix of dwelling type and design. The site is located within the Conservation Area which is defined as the historic core of the village. Adjoining garage/annexe building has timber clad elevations.

RELEVANT SITE HISTORY

A/162/17/PL	Application for Variation of Condition 2 imposed under A/173/16/PL to include 2 No. dormer windows in lieu of rooflights, a gable end to the south elevation & a juliet balcony in lieu of window to west elevation. This application affects the Character & Appearance of the Angmering Conservation Area.	Refused 15-11-17
A/173/16/PL	Application for Variation of Condition 2 imposed under A/105/16/PL for removal of boundary walls to north & south & replace with planting & granite kerb stones, reconfiguration of approved bin & cycle store to provide direct garden access through separate kitchen & Ground floor WC, provision of bins & cycles within approved car port & within rear garden area, minor changes to window & door positions. This application affects the Character & Appearance of the Angmering Conservation Area.	ApproveConditionally 13-01-17
A/64/17/DOC	Application for approval of matters reserved by conditions imposed under A/173/16/PL relating to Conditions 3 - Schedule of materials, 5 - Construction site set up, 7 - Covered parking & secure cycle spaces & 9 - Landscaping scheme.	DOC Approved 20-06-17
A/105/16/PL	Reconfiguration of existing car parking area for 1 No. flat	ApproveConditionally

with 5 No. car-barns below (resubmission following A/8/16/PL). This application affects the character & appearance of the Angmering Conservation Area.

08-09-16

A/8/16/PL

New single 2-bedroom dwelling. This application affects the character and appearance of Angmering Conservation Area

Refused
24-03-16

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Angmering Parish Council

Objection - Adverse effect on the character and appearance of the Angmering Conservation Area.

12 Objections:

- The construction has not be carried out in accordance with the approved plans or the submitted plans.
- The building is closer to site boundaries.
- Request that measurements are taken on site to ensure building size accords with original permission.
- Would like assurance that ground level will be the same as the surrounding area.
- Roof profile should be hipped as approved originally.
- Roof light windows should be escape windows and in the correct position (1.5m from the internal floor to the lower sill). The lower height results in overlooking into rear bedroom windows of 1-6 The Cottrells and the property to the rear.
- There is a high likelihood that once the building has been agreed internal alterations to the layout will take place to create an additional bedroom. This should be restricted by condition.
- Would like confirmation regarding landscaping scheme and provision.
- Road is often blocked by builders, rubbish has piled up and the site has been left unsafe and unsecured.
- Why has building work not been stopped?
- The development appears shoe horned into the site.
- Request that requirement to demolish low block boundary wall and replacement with a fence is removed from the plans.
- Windows - the height and position of the windows allows people in the new building to view directly into our bedrooms, bathrooms and gardens. This direct view is of considerable concern as an invasion of privacy. The rear bedroom is frequently that used by the children of the house. As the new property is higher the occupants are looking down on us and therefore have a clearer view. Frosted or obscure glass might be a possible compromise.
- The windows and roof ridge are not to conservation standard.
- South boundary - the wall and kerbstone marking the boundary between the development and the shared alleyway have encroached onto the alleyway. The wall appears longer than on the plans, encroaches on a drain cover and the kerb is built on the alleyway and not on the land belonging to the development.
- Drop kerb - at present there has been a dropped kerb built to allow access to two of the public parking spaces being built as part of the project.
- The number of windows on the north elevation has reduced from six to five. Two have cill heights at 1.7m. Only one of the three roof lights in the east elevation has changed. It is now a little higher.

- The north-south width of the building has increased by 1.1m.
- The ground floor now has a separate back door in addition to the tri-fold doors opening into the garden.
- The staircase has been repositioned and a corridor has been created from the front door to the back door.
- The shared and en-suite bathrooms have been replaced by a single shared bathroom.
- The length of the lounge has increased by 2m due to the removal of one bathroom and repositioning the staircase.
- The landing and door positions to the two bedrooms have been altered accordingly.
- The submitted plans do not accord with what has been constructed on site.

COMMENTS ON REPRESENTATIONS RECEIVED:

The development is the subject of a current enforcement case for non compliance with approved plans.

Whilst the building works have not been stopped this does not preclude enforcement action being taken at a later stage and applicants are aware that works which do not accord with the earlier approval are being undertaken entirely at the owners risk.

The issue of the property over sailing adjacent boundaries is essentially a private legal matter. However the agent has been asked to serve Notice on adjoining neighbours as part of this proposal and has refused to on the basis that the property has been erected only on land in the applicants ownership. Legal advice from the Council's Solicitor has been sought and confirms that the application can be determined on the basis of the submitted certificates.

The proposal is subject to a condition to ensure that landscaping is provided in accordance with the approved scheme and removing permitted development rights for alterations and extensions. The building has planning permission.

The proposal does not relate to the alterations which have taken place on site to incorporate a barn end and this change will need to be dealt with separately.

It was apparent from the plans when scaled that the size of the unit had increased slightly and the layout and position had altered slightly. It scaled as 30cm longer north-south and 10cm wider east to west. Revised plans have now been submitted which have slightly altered the position of the property and the application has been re-advertised accordingly.

External lighting would be permitted development once the unit is occupied.

Conditions 2 and 3 relate to the internal layout changes.

The internal layout changes are not considered significant. No intensification of use or increase in the number of bedrooms has resulted.

The requirement for escape windows is controlled by Building Regulations. The roof lights would not need to be provided as escape windows to accord with planning legislation.

CONSULTATIONS

Conservation Officer

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - No Objection

COMMENTS ON CONSULTATION RESPONSES:

Comments noted

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary

Within designated Conservation Area

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

GEN7 The Form of New Development

GEN12 Parking in New Development

AREA2 Conservation Areas

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1 Aspects of Form and Design Quality

D DM2 Internal Space Standards

D DM3 External Space Standards

HER DM3 Conservation Areas

HER SP1 The Historic Environment

[Angmering Neighbourhood Plan 2014 POLICY EH1](#) Development in the Conservation Area

Angmering Neighbourhood Plan 2014 POLICY HD4 Materials

Angmering Neighbourhood Plan 2014 POLICY HD5 Built Form

Angmering Neighbourhood Plan 2014 POLICY HD6 Housing Layout & Design

Angmering Neighbourhood Plan 2014 POLICY HD8 Parking for New Developments

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place.

The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

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

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

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

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Policies HD4: Materials, HD5: Built Form and HD6: Housing Layout & Design, HD8: Parking for New Developments and EH1: Development in the Conservation Area of Angmering Neighbourhood Plan are considered relevant to 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 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 71(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is considered to comply with this criteria in that it is not considered to materially affect the character of the Conservation 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 proposal relates to amendments to roof light numbers and positions in the roof of the previously approved dwelling which is located above car ports on an area which was previously used as hard standing for car parking within the Conservation Area. The site lies within the built up area boundary where the principle of residential development is acceptable. The building is under construction and the roof light changes have been submitted to accord with the positions they have been installed on site.

VISUAL AMENITY AND IMPACT ON THE CHARACTER OF THE CONSERVATION AREA

To the north of the site is an ancillary garage building. The site occupies an elevated position in relation to development to the north. The dwelling is sited in similar position to the dwelling previously approved adjacent to a garage to the north, 9m from the road frontage. The property is L shaped with the rest of the development set back 19m from The Cottrells frontage. The alterations to the size, position and layout of the dwelling are not significant. The amended footprint and layout retain the open area and sense of space which is a contributory factor to the character of the area and the appearance of the Conservation Area. The intensity of use of the development would not increase since the number of bedrooms remains as approved.

The use of roof lights produces an uncluttered appearance to the roof and reduces the visual impact of the first floor. The changes to the roof light positions do not dominate the elevations of the building and the change in the dwelling position and size do not appear overly dominant in the street scene, many slate roofs are evident within the Conservation Area.

Part 12 of the National Planning Policy Framework (NPPF) refers to Conserving and enhancing the historic environment. It is considered that the proposal complies with paragraphs 131 to 133. Para 132 of the Framework requires that 'great weight should be given to an asset's conservation' and where its significance is affected any harm or loss should require clear and convincing justification. In this case, the repositioning of roof lights are considered to have a neutral impact on the appearance of the Conservation Area in compliance with the NPPF and policy EH1 of Angmering Neighbourhood Plan.

Most of the materials used in the development have previously been approved. Policy HD6 of Angmering Neighbourhood Plan requires new development to demonstrate high quality design, reflect local distinctiveness and seek to incorporate local design features evident in the surrounding area. It is considered that the design and materials adequately reflect their surroundings and a condition is imposed to ensure that the quality of materials for the piers, which was previously approved as cladding, is acceptable.

There are policies protecting the historic environment throughout the NPPF, with a specific section covering conserving and enhancing the historic environment (paragraphs 126 to 141).

Consideration of the historic environment and its heritage assets is a principal objective of sustainable development and hence of the NPPF and all development plans that conform to it. The development as a whole is considered to make a positive contribution to the appearance of the Conservation Area and therefore represents a sustainable form of development.

RESIDENTIAL AMENITY

This proposal relates to the revised position of roof lights and therefore loss of privacy is the main consideration in respect of impact on residential amenity. The cross section A-A indicates that the height of the windows on the east and west roof slopes have not decreased and are as previously. The more centrally located bathroom window is higher than originally approved reducing the opportunity for over looking if the window is open.

One of the lounge windows on the south elevation has been reduced in height to be level with 2 lower window positions previously approved. These windows have a cill height of 1.5 which is the same as the lower cill height previously approved. This has a lowest outside height of 1.7m which is considered adequate to prevent any materially adverse overlooking effects and loss of privacy to adjoining gardens.

Two of the windows on the north elevation have increased in height to have an internal cill height of 1.7m and the others remain in the position approved with an internal cill height of 1.5m. These heights are considered adequate to prevent materially adverse overlooking resulting to adjoining properties or their gardens.

The main living room window remains unaltered and faces over the parking area. Views would be towards to The Cottrells road frontage where there would be no loss of privacy.

SPACE STANDARDS

The proposal accords with the Nationally Prescribed Space Standards relating to internal space standards. The accommodation is now split between ground and first floor so that the property is designed as a 2 storey dwelling where it would reasonably be expected that a rear garden area would be provided. The garden size of 28sqm to serve the property has previously permitted and it is therefore considered acceptable.

CONCLUSION

The application is therefore recommended for approval subject to the following conditions

The application has been re-advertised following receipt of additional information clarifying the position and size of the building and the advertising period now expires on 15-03-2018. Therefore it is requested that the decision on this application is delegated to the Group Head of Planning in consultation with the Chairman and Vice Chairman of Committee.

HUMAN RIGHTS ACT

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

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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

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

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be carried out in accordance with the following approved plans: Location and Block plans ADC962/LP, Elevations and Section ADC962/14 A, Floor Plan & Roof plan ADC962/13 revB, Ground Floor Plan ADC962/04 Rev A and Comparison Plan ADC962/18.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 2 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) or external alterations to the dwelling house 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 and maintain adequate amenity space in accordance with policy GEN7 of the Arun District Local Plan.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order) the layout of the building shall not be altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To enable the Local Planning Authority to control the intensity of use of the development in detail on this relatively small plot in the interests of the amenities of adjoining residential occupiers and the locality in general in accordance with policy GEN7 of the Arun District Local Plan.

- 4 Details of the finishes to be used for the supporting piers shall be submitted to and approved by the Local Planning Authority and the materials so approved shall be provided prior to occupation.

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 GEN7 of the Arun District Local Plan.

- 5 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the plans and details submitted to and approved by the Local Planning Authority under A/64/17/DOC.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.LAN

- 6 No part of the development shall be first occupied until the vehicle parking and turning spaces

have been constructed in accordance with the approved plan ADC962/04A. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development.

- 7 The landscaping details approved under A/64/17/ DOC shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.'

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District 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.