

Recommendation Report for Approval of Reserved Matters Following Outline Approval

REF NO:	BE/103/19/RES
LOCATION:	Land west of New Barn Lane Bersted PO21 5DN
PROPOSAL:	Approval of reserved matters following the grant of BE/77/16/OUT and BE/40/18/PL for 50 No. residential units with associated roads, drainage & other related infrastructure.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

This application seeks approval of reserved matters following outline approval for the development of "up to 50 residential units, landscaping, amenity space, car and cycle parking, roads, service and drainage infrastructure and other associated works", on land west of New Barn Lane, Bersted.

The reserved matters the subject of this application are access, appearance, landscaping, layout and scale.

The 50 residential units would comprise the following mix:

- 5x one-bedroom dwellings (all of which would be affordable);
- 22x two-bedroom dwellings (8 of which would be affordable);
- 13x three-bedroom dwellings (1 of which would be affordable); and
- 10x four-bedroom dwellings (1 of which would be affordable).

The proposed scheme features one terrace of houses (plots 22 to 24) and one apartment building (plots 32 to 37) in the eastern side of the site. The remaining dwellings are detached and semi-detached houses.

A pedestrian and vehicular access to the site was approved as part of a separate application (BE/40/18/PL) on 13th July 2018. This is located in the northern corner of the site and joins an existing spur from New Barn Lane, which currently serves five dwellings. The main internal access road is designed to be a minimum of 5.5 metres wide, with footways on both sides for two-thirds of its length and on one side for the remainder.

The application makes provision for 125 car parking spaces, consisting of 113 spaces allocated for residents, 3 unallocated spaces for residents and 9 visitor spaces. There are also covered and secure cycle parking spaces for all of the dwellings.

	Areas of public open space are shown towards the centre of the site and adjacent to the south-eastern, south-western and north-western boundaries (providing 0.532ha in total).
SITE AREA	1.89ha
RESIDENTIAL DEVELOPMENT DENSITY	26dph (gross density)
TOPOGRAPHY	Predominantly flat
TREES	As described by the Council's Tree Officer, "there are mostly off-site trees to consider, the site being an open field bordered by trees and hedgerow on all sides. The dominant trees are crack willow of mature age class in condition varying from healthy and vigorous to early decline and partial collapse."
BOUNDARY TREATMENT	There are well established trees and hedgerows on all boundaries.
	Temporary Heras fencing has recently been erected just inside the boundary.
SITE CHARACTERISTICS	The site is a relatively flat field that was previously used for arable purposes. It is enclosed by trees and hedgerows on all sides.
	Access to the field is currently obtained from an unmade track, running south-west from New Barn Lane, and through a five-bar gate in the north western boundary.
CHARACTER OF LOCALITY	The site adjoins the south-western edge of a residential suburb, containing mostly single-storey bungalows and two-storey houses with open plan front gardens. North-west of the site, on the opposite side of the track, housing is currently under construction in a development that is called Mulberry Fields. North-east of the site, there is strip of land covered with trees and shrubs, beyond which there are bungalows in New Barn Lane and Winston Crescent. To the south east of the site lies the Jubilee Recreation Ground. To the south-west, land is currently in use for agriculture. Part of the south-western boundary adjoins a telecommunications compound. The compound contains two masts, both of which are clearly visible above the trees and hedgerow on the boundary.

RELEVANT SITE HISTORY

BE/77/16/OUT	Outline application with all matters reserved for up to 50 residential units, landscaping, amenity space, car & cycle parking, roads, service & drainage infrastructure & other associated works. Departure from the Development plan.	Called In by DCLG/SD 09-01-17
		Appeal: Allowed+Conditions 12-02-18
BE/40/18/PL	New access from New Barn Lane to Land West of New	ApproveConditionally

Barn Lane & relocation of 5 No. existing parking spaces. 13-07-18

BE/106/19/PL Change of use of land to residential curtilage associated with planning permission BE/77/16/OUT.

COMMENTS ON PLANNING HISTORY

Outline planning permission (BE/77/16/OUT) was granted by the Secretary of State on 12 February 2018 for "up to 50 residential units, landscaping, amenity space, car and cycle parking, roads, service and drainage infrastructure and other associated works" on land west of New Barn Lane, Bersted. The application had been called-in by the Secretary of State for his own determination. Permission was granted subject to 11 conditions and a planning obligation (dated 28 September 2017). Condition 1 identifies the reserved matters as "access, appearance, landscaping, layout, and scale". Condition 9 states: "The landscape details referred to in Condition 1 shall include a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas other than privately owned domestic gardens. The landscape management plan shall be implemented in accordance with the approved details."

Planning permission (BE/40/18/PL) was granted by Arun District Council on 13 July 2018 for "New access from New Barn Lane to Land West of New Barn Lane & relocation of 5 No. existing parking spaces". Permission was granted subject to 10 conditions.

The most recent application (BE/106/19/PL) seeks to change the use of some adjoining land to the north-east of the site to form a residential curtilage for the proposed apartment building included in this application.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bersted Parish Council

Bersted Parish Council has "No objection".

Two representation letters have been received from members of the public objecting to the proposals for the following reasons:

- The close proximity of the proposed apartment building to the bungalows located to the north-east;
- Loss of sunlight and daylight for the occupiers of the same bungalows;
- The effect on the privacy of existing residents;
- Loss of natural habitats;
- Increase in traffic leading to noise and disturbance; and
- The impact on local health services and schools.

COMMENTS ON REPRESENTATIONS RECEIVED:

The representations are noted and are considered in the Conclusions section of this report.

CONSULTATIONS

Highways England
 Arboriculturist
 Parks and Landscapes
 Natural England
 Engineering Services Manager
 Engineers (Drainage)
 Planning and Housing Strategy
 Surface Water Drainage Team
 Ecology Advisor
 Environment Agency
 Archaeology Advisor
 Sussex Police-Community Safety
 NHS Coastal West Sussex CCG
 Parks and Landscapes
 WSCC Strategic Planning
 Environmental Health
 Economic Regeneration
 Southern Water Planning
 Arboriculturist

CONSULTATION RESPONSES RECEIVED:**HIGHWAYS ENGLAND**

We note that the revised plans relate to details of the proposed development which do not affect the safety, reliability and / or operation of the Strategic Road Network (the tests set out in DfT Circular 02/2013, particularly paras 9 & 10, and DCLG NPPF, particularly para 109). Therefore we have no comments on, or objection to, the revised plans.

WSCC HIGHWAYS AUTHORITY

Further information is required in respect of:

1. Clarification over the use of kerbs and shared surfaces, surface materials and the extent of the adoptable highway;
2. The potential to provide a footpath link to Winston Crescent, the wider footway network and Jubilee Recreation Ground;
3. Links to the public right of way adjacent to the north-west edge of the site;
4. Clarification of the width of proposed footways;
5. Footway continuity next to Plot 17 and provision for people with impaired mobility;
6. Refuse vehicle tracking; and
7. Car parking provision, including electric vehicle charging points and the number and distribution of visitor spaces.

ADC ENVIRONMENTAL HEALTH

Recommend the imposition of five conditions to address:

1. Electric vehicle charging points;
2. Air quality and emissions mitigation;
3. External lighting;
4. Land contamination; and
5. A construction management plan.

ADC DRAINAGE ENGINEER

In response to the latest plans:

The applicant needs to ensure the pumping station compound shown in the north west corner of the site is kept at least 3 metres from the top of the bank of the boundary ditch.

In response to the original submission:

Further information required, prior to determination, in respect of:

1. Groundwater levels;
2. Surface water drainage strategy (with calculations);
3. Capacity of detention basin;
4. Whether the attenuation feature will be lined;
5. Location of the proposed garage for Plots 18 and 19 (not within 3m of the watercourse and the detention basin);
6. SuDS (open storage features); and
7. Water treatment for the northern network;

SOUTHERN WATER

Southern Water has no objections.

SUSSEX POLICE

Latest comments:

No major concerns with the proposals. However, recommend that the garden fences adjoining the unobserved rear garden pathways are constructed of close board fencing, 1.5 metres high topped with 300mm of trellis. This creates a security height of 1.8 metres whilst allowing surveillance of what would otherwise be an unobserved area.

Initial comments:

No major concerns with the proposals but additional measures should be considered, e.g.

1. Lack of surveillance for visitor parking bay south-east of plot 26;
2. The boundary between public space and private areas needs to be clearly indicated (e.g. Plot 22); and
3. If the double doors of the bin store for the flats pointed outwards from the northern end of the building, there would be no communal garden access requirement beyond the garden gate for refuse collection.

NATURAL ENGLAND

No objection.

ADC ECOLOGY ADVISOR

Full details on how the habitats and enhancements onsite will be managed during the construction phase and post construction should be included within a Construction Environmental Management Plan (CEMP) and Landscape and Management Plan (LEMP).

Information on Biodiversity Net Gain needs to be provided, for example:

- Replacement of any trees removed at a ratio of 2:1;
- Wildflower meadow planting;
- Filling any gaps in tree lines or hedgerows with native species;
- Bat bricks/tiles integrated into the buildings, facing south/south west, positioned 3-5m above ground;
- Bird box installed on the buildings and/or tree within the gardens;
- Grassland areas managed to benefit reptiles;
- Log piles;
- Gaps at the bottom of the fences to allow movement of small mammals across the site; and
- Two hedgehog nesting boxes included on the site.

ADC TREE OFFICER

Objection

1. There is an opportunity to create accessible and connected open space within the site while ensuring retention of established trees on the perimeter and associated understorey.
2. There is a risk that the occupiers of Plots 14 & 18 will perceive danger and nuisance from the uninhibited growth of nearby trees, falling debris and leaves.
3. Consideration must also be given to nominal root protection areas, anticipated future growth (root and branch) and high-water demand of these willow (*Salix fragilis*), when considering the location of any new drainage features/infrastructure and the necessary easement around the same, as well as any required buffer zones.
4. The drainage strategy for the site ought to be addressed in association with the layout, to avoid flood mitigation measures which could impact heavily on retained trees.
5. A footway around the site could be constructed using a 'no-dig' method to protect the underlying soil structure and roots.

ADC LEISURE & LANDSCAPE OFFICER

Objection

1. Clarification is needed on the amount of public open space to be provided as part of the development (excluding the area of any SuDS feature).
2. The loss of a continuous green belt around the site will be detrimental to the establishment of a wildlife corridor and potentially the enhancement of biodiversity. It will also compromise the ability to provide cycle and footway links.
3. Where SuDS features are to remain wet for long periods, there is a need to consider their safety given the close proximity of housing.

ADC HOUSING STRATEGY & ENABLING MANAGER

The proposed affordable housing tenure mix is not supported, because it introduces flats at the expense of houses. Within the restrictions of the s.106 agreement dated 28 September 2017, the preferred mix would be:

Affordable rented:

2 x 1bed houses
 2 x 2bed houses
 1 x 4bed house

Intermediate:

3 x 1bed houses
 6 x 2bed houses
 1 x 3bed house

A variation to the mix that would increase the level of rented dwellings and/or which includes an additional 2-bed rented dwelling at the expense of the 4-bed dwelling is likely to be viewed favourably.

COMMENTS ON CONSULTATION RESPONSES:

The consultation responses are noted and are addressed in the Conclusions section of this report.

The responses from WSCC Highways Authority and the last three consultees relate to the plans, drawings and documents as originally submitted, rather than the revised version.

POLICY CONTEXT

Designation applicable to site:

Policy HSP2a West of Bersted (SD3) Strategic Housing Allocation

Pagham Harbour Buffer Zone B (5km)

DEVELOPMENT PLAN POLICIES

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

AHSP2	AH SP2 Affordable Housing
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
ENVDM5	ENV DM5 Development and biodiversity
HDM1	H DM1 Housing mix
HSP1	HSP1 Housing allocation the housing requirement
HSP2	H SP2 Strategic Site Allocations
HSP2A	HSP2a Greater Bognor Regis Urban Area
HWBSP1	HWB SP1 Health and Wellbeing
LANDM1	LAN DM1 Protection of landscape character
OSRDM1	Protection of open space,outdoor sport,comm& rec facilities
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
TSP1	T SP1 Transport and Development

WMDM1 WM DM1 Waste Management

Bersted Neighbourhood Plan 2014 Policy ES1	Design of new development
Bersted Neighbourhood Plan 2014 Policy ES6	Protection of trees
Bersted Neighbourhood Plan 2014 Policy GA1	Pedestrian and Cycle Connections
Bersted Neighbourhood Plan 2014 Policy HDQ2	Integration of new housing
Bersted Neighbourhood Plan 2014 Policy HDQ4	Housing mix
Bersted Neighbourhood Plan 2014 Policy HDQ5	Design of new housing development
Bersted Neighbourhood Plan 2014 Policy HDQ6	Outdoor space
Bersted Neighbourhood Plan 2014 Policy HDQ7	Attention to detail
Bersted Neighbourhood Plan 2014 Policy HDQ8	Car parking

PLANNING POLICY GUIDANCE:

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

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD12	Open Space, Playing Pitches & Indoor & Built Sports Facilities

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 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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan.

The Bersted Neighbourhood Plan was made in November 2014. Relevant Bersted Neighbourhood Plan policies have been taken into account and are addressed in the Conclusions section of this report.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal is considered to comply with relevant Development Plan policies in that the site forms part of a strategic housing allocation inside the built-up area boundary.

As originally submitted, the proposal had negative effects in terms of the layout and landscaping of the site when assessed against the approved Framework Plan. However, these issues have been addressed through the submission of revised plans which accord with the policies of the Local Plan and with the NPPF.

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

Policy H SP1 of the Arun Local Plan 2011-2031 sets out the overall provision of at least 20,000 new homes phased over the plan period. The policy allocates 2,500 units to the strategic housing site (SD3) West of Bersted. The application site constitutes a small part of the West of Bersted strategic allocation in Policy H SP1 and the 50 proposed dwellings will contribute towards the 2,500 units within the plan period.

Policy H SP2 of the Local Plan requires development proposals within the Strategic Site Allocations to be comprehensively planned and to have regard to a masterplan endorsed by the Council for the respective areas which incorporates high quality imaginative design giving a sense of place and a permeable layout.

Policy H SP2a of the Local Plan focusses on the "Greater Bognor Regis Urban Area" and includes the West of Bersted strategic allocation. The policy sets out key design and infrastructure requirements for this specific allocation. These include road, pedestrian and cycle links to the wider area.

A masterplan for the West of Bersted strategic allocation has not yet been endorsed by the Council.

Nevertheless, the principle of the development of this site was established with the grant of outline planning permission (BE/77/16/OUT) for up to 50 dwellings in 2018. The key issues to be considered are matters of detail and relate to the access, appearance, landscaping, layout and scale of the proposed development.

Consideration of the layout will need to include its permeability in the context of Policy H SP2 and the extent to which the proposed development facilitates links to the rest of the allocation and the wider area in the context of Policy H SP2a.

Policy HDQ2 of the Bersted Neighbourhood Plan 2014-2029 also requires new homes to be well connected to the surrounding area and visually integrated with their surroundings.

Housing Mix

Policy H DM1 of the Arun Local Plan 2011-2031 seeks to secure a mix of dwelling types and sizes, including affordable housing units, as does Policy HDQ4 of the Bersted Neighbourhood Plan 2014-2029. The former states, "for developments of 11 units or more the Council shall require a balanced mix of

market and affordable dwelling sizes including family sized accommodation based on the most up to date SHMA recommendations".

The most up to date recommendations are contained in a report published in September 2016. The suggested mix of housing by size and tenure is as follows:

Market

- 1 bedroom 5-10%
- 2 bedrooms 40-45%
- 3 bedrooms 35-40%
- 4+ bedrooms 10-15%

Intermediate/Starter Homes

- 1 bedroom 15-20%
- 2 bedrooms 50-55%
- 3 bedrooms 25-30%
- 4+ bedrooms 0-5%

Affordable Rented

- 1 bedroom 35-40%
- 2 bedrooms 35-40%
- 3 bedrooms 15-20%
- 4+ bedrooms 5-10%

The proposed development comprises the following mix in each sector:

Market

- 14x two-bedroom dwellings (40%)
- 12x three-bedroom dwellings (34%)
- 9x four-bedroom dwellings (26%)

Affordable

- 5x one-bedroom dwellings (33%)
- 8x two-bedroom dwellings (53%)
- 1x three-bedroom dwelling (7%)
- 1x four-bedroom dwellings (7%)

Affordable Housing

Policy AH SP2 of the Arun Local Plan 2011-2031 states that the Council will require a minimum of 30% of the total number of units proposed on site to be provided as affordable housing on the same site on all developments of 11 residential units or more.

The s.106 agreement, dated 28th September 2017, requires an Affordable Housing Scheme to be submitted to and approved in writing by the District Council prior to the commencement of development. The agreement defines the Affordable Housing Scheme as:

"...a scheme for the provision of Affordable Housing Units which:

- (a) allocates 15 of the Dwellings within the Site as Affordable Housing Units;
- (b) provides the Affordable Housing Units in accordance with the Affordable Housing Tenure Mix;
- (c) identifies the location of the Affordable Housing Units;
- (d) identifies the size and housing type of the Affordable Housing Units; and

(e) utilises design techniques an objective of which is, inter alia, that the Affordable Housing Units should be materially indistinguishable (in terms of outward design and appearance) from the Open Market Units of similar size;"

The Affordable Housing Tenure Mix is defined as:

"...a mix of tenure whereby 5 of the Affordable Housing Units shall be provided as Affordable Rent Dwellings and 10 as Intermediate Housing Units, unless otherwise agreed with the District Council".

Affordable Housing Units are either Affordable Rent Dwellings or Intermediate Housing Units. The latter includes the word "Dwelling" in its definition.

Dwelling is, in turn, defined as "...any dwelling to be constructed pursuant to the Planning Permission, comprising both Open Market Units and Affordable Housing Units".

There is a further definition in the s.106 agreement which relates to Housing Mix. This states:

"Housing Mix means the housing mix for the Development which at the date of this Deed is intended to be:

(a) Open Market Units: 9 x 2 bed houses, 14 x 3 bed houses and 12 x 4+ bed houses;

(b) Affordable Housing Units: 5 x 1 bed house, 8 x 2 bed house, 1 x 3 bed house and 1 x 4 bed house; which information has been used to calculate the County Council Contributions".

There is no obligation to deliver this precise housing mix, that is to say all houses and no flats. The purpose of the definition was to calculate the County Council contributions. The agreement anticipates that the housing mix could change and makes a distinction between the occupancy rates of houses and flats with the same number of bedrooms.

The submitted scheme allocates 15 (30%) of the total number of dwellings as affordable housing units, in a small cluster in the eastern part of the site. The proposed mix of affordable dwellings, in terms of size, accords with what was intended at the date of the s.106 agreement, albeit six of the dwellings are proposed flats rather than houses.

The proposed development complies with Policy AH SP2 of the Local Plan and accords with the Planning Obligation associated with the outline planning permission (BE/77/16/OUT).

ACCESS

"'Access', in relation to reserved matters, means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network..." (The Town and Country Planning (Development Management Procedure) (England) Order 2015).

Policy T SP1 of the Arun Local Plan 2011-2031 requires development to provide safe access on to the highway network, to create safe and secure layouts for traffic, cyclists and pedestrians and to incorporate appropriate levels of parking in line with published guidance on parking provision and the Arun Design Guide.

Policy GA1 of the Bersted Neighbourhood Plan 2014-2029 supports proposals which would increase or improve the network of footpaths, footways and cycleways.

The proposed access to the site from New Barn Lane begins in accordance with the details approved under application BE/40/18/PL (Drawing No. A13395-T-001). The existing spur off New Barn Lane is

widened to 6m where it enters the north-eastern corner of the site. The main estate road runs in a westerly direction for approximately 50m, before turning south and then south-eastward through the centre of the site and terminating in a turning head at the southern end. The main estate road has a 5.5m wide carriageway and 2m wide footways on both sides for two-thirds of its length and on one side for the remainder. All other roads are proposed to be 4.8m wide shared surface lanes.

The road layout has been designed to accommodate the movement of fire appliances and refuse collection vehicles, as demonstrated on a swept path analysis that shows the tracking of a 12m long refuse collection vehicle.

Footpath links are shown in the north-western boundary of the site to the public right of way (Footpath No. 134) and in the north-eastern boundary towards Winston Crescent and a gate in the corner of the Jubilee Recreation Ground. Footpath links are also provided within the public open space adjacent to the south-western boundary to provide a continuous route around the south-eastern, south-western and north-western edges of the site. The plans originally submitted with this application excluded these features. However, the revised plans reflect more closely the Framework Plan that was approved at the outline stage.

Off-site drainage ditches running parallel with and close to the south-eastern, south-western and north-western boundaries of the site prevent further direct pedestrian links to adjoining land.

Trees and hedgerows on both sides of the public right of way also prevent more direct connections to the Mulberry Fields development.

The proposed surface materials are tarmac for the primary road and footways, block paving for the secondary roads and compacted gravel (hoggin) for the footpaths through areas of public open space. Guidance, published by Hampshire County Council, indicates that the latter is suitable for wheelchair use (Path Surfacing, Countryside Service Design Standards, 2013).

While its comments in response to consultation on the application sought further information, WSCC Highways Authority at the same time confirmed that:

1. The road and footway widths are acceptable;
2. Details of materials and street furniture specifications will be checked at the detailed design stage forming part of any s.38 agreement; and
3. The site has a good footway layout which allows for permeability within the site;

Parking Provision

Arun District Council's Parking Standards Supplementary Planning Document (SPD) January 2020 requires, in this parking behaviour zone, the provision of 2 car parking spaces for 1, 2 and 3-bedroom dwellings and 3 spaces for 4-bedroom dwellings. Given the proposed housing mix, this requires the provision of a total of 110 spaces.

Visitor parking is also required at a ratio of 20% of the total number of residential units, adding 22 spaces.

100% of the spaces serving houses with a driveway and garage are expected to be provided with active electric vehicle charging points, 20% of the spaces serving other dwellings are expected to be provided with active electric vehicle charging points, while ducting is to be provided for the remainder.

Cycle parking provision is also required at a ratio of 1 space for each flat, 1 space for 1 and 2-bedroom

houses and 2 spaces for 3 and 4-bedroom houses.

Given that a garage is counted as 0.5 parking spaces, a total of 113 car parking spaces are proposed to be provided in addition to secure cycle parking.

The applicant has drawn attention to the Secretary of State's Inspector's report at the outline stage which stated:

"The car parking detail would be a matter for the reserved matters application. However Mr Smith's proof confirms that parking would be provided at 2 spaces per dwelling in line with the requirement in the BNDP, policy HDQ8. Parking is also addressed in policy GEN12 of the LP and there is no identified conflict with this policy." (Paragraph 9.23)

Policy HDQ8 of the Bersted Neighbourhood Plan 2014-2029 requires a minimum of two parking spaces per dwelling, which is satisfied by the proposals.

The outline planning application was considered in the context of policies that preceded the recent adoption of the Parking Standards SPD and the applicant purchased the site on the basis of the approved quantum of development. To optimise housing delivery from this site, the applicant seeks some flexibility in what they describe as a transitional phase to the new guidelines.

In response to consultation on the application WSCC Highways Authority commented that:

"Car Parking has been assessed against the WSCC Car Parking Demand Calculator. The amount of car parking provided within the development is in line with WSCC maximum standards. As per the WSCC guidance on parking at new developments 2019, 20% of all parking spaces should be provided with electric vehicle charging points with ducting provided at all remaining spaces where appropriate. This equates to 23 spaces as a minimum.

All car parking spaces are provided slightly larger than the recommended standard at 2.4m x 5m, this allows for a large family car. Garages are counted as useable spaces and are dimensioned with the specified limits of 3m x 6m for a single garage and 6m x 6m for a double garage.

...the access road and lanes are wide enough to accommodate on-street parking should this occur."

WSCC Highways Authority also noted that "Cycle parking is provided for and spaces are in sheds in gardens or designated cycle parks in the apartment blocks".

The applicant has indicated a willingness to consider exceeding the standard for electric vehicle charging points, to reinforce sustainability and to balance the shortfall in the total number of car parking spaces. This could be achieved through the use of a suitably worded planning condition.

Subject to the imposition of planning conditions, to secure a footpath link to Winston Crescent and electric vehicle charging points, the proposed access and parking provision is considered to be acceptable and will accord with Policies H SP2a and T SP1 of the Arun Local Plan and Policies GA1, HDQ2 and HDQ8 of the Bersted Neighbourhood Plan.

LAYOUT

"'Layout' means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the

development" (The Town and Country Planning (Development Management Procedure) (England) Order 2015).

Policy D SP1 of the Arun Local Plan 2011-2031 states:

"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."

Policy D DM1 states that the Council will have regard to various aspects of form and design quality when considering proposals for development, including layout both in terms of movement and legibility.

As described in Section 4.2 of the Design and Access Statement: "The site has a single point of vehicular access with a sinuous route through the site and side mews and closes branching off that define the proposed block structure. Footpath links between the vehicle routes and to the north and east boundaries will provide good permeability and connectivity. This affords an interesting and flowing layout and an unobtrusive insertion into the existing landscape".

The proposed scheme features one terrace of houses and one apartment building in the eastern side of the site. The remaining dwellings are detached and semi-detached houses, with the larger dwellings sited on corner plots and additional windows provided in the side elevations of several dwellings to provide active edges.

A landscape buffer is proposed around the edges of the site to protect the existing trees and hedging. An area of public open space is proposed towards the centre of the site as a local amenity, while a SuDS scheme with an attenuation basin is proposed alongside the south-eastern boundary.

It is considered that the proposed layout is likely to function well, enabling movement through the site and to places beyond while at the same time having a clearly legible structure.

Therefore the proposed development complies with Policies H SP2, H SP2a and D DM1 of the Arun Local Plan and Policy HDQ2 of the Bersted Neighbourhood Plan.

SCALE

" 'Scale'... means the height, width and length of each building proposed within the development in relation to its surroundings" (The Town and Country Planning (Development Management Procedure) (England) Order 2015).

Policy D DM1(14) of the Arun Local Plan 2011-2031 states: "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".

The proposed dwellings will be two storeys in height with associated single storey garages. The scale of the proposed buildings is considered to be in harmony with the locality.

Consequently, it is considered that the proposed development complies with Policy D DM1 of the Arun Local Plan and Policies ES1, HDQ2 and HDQ5 of the Bersted Neighbourhood Plan.

APPEARANCE

" 'Appearance' means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture" (The Town and Country Planning (Development Management Procedure) (England) Order 2015).

Policy D DM1 of the Arun Local Plan 2011-2031 requires proposals to "demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area".

Similarly, Policies ES1 and HDQ5 of the Bersted Neighbourhood Plan 2014-2029 require proposals for new housing to be of high quality and designed to reflect the local character.

Section 4.10 of the Design and Access Statement summarises the appearance as follows:

"A traditional design approach is proposed to the development using local and established materials, with reference to the local vernacular.

Red and buff multi stock brick with cill, head and band detail features. Horizontal timber boarding, tile hanging with fishtail details, cottage style windows and doors, simple pitch and flat roof porches. Brown profiled roof tiles and flat grey man-made tiles, half round guttering with round downpipes."

It is considered that the choice of these design features, materials and colours provides an acceptable approach to appearance and complies with Policy D DM1 of the Arun Local Plan and Policies ES1, HDQ2 and HDQ5 of the Bersted Neighbourhood Plan.

Amenity Space Provision

Policy HDQ6 of the Bersted Neighbourhood Plan requires a private outdoor garden amenity space, or a shared amenity area, to be provided for all new dwellings. The plan adds that:

"The amount of land used for garden or amenity space should be commensurate with the size and type of dwelling and the character of the area, and should be of appropriate quality having regard to topography, shadowing (from buildings and landscape features) and privacy."

The Government's National Design Guide recognises that well-designed homes and buildings provide good quality internal and external environments for their users, promoting health and well-being (para. 123). Amenity space is defined as: "The outside space associated with a home or homes. It may be private or shared, depending on the building it serves".

The Guide states that, "The appropriate size, shape and position for an external amenity space can be defined by considering:

- how the associated building sits in the wider context, including access to public and open spaces;
- how the amenity space will be used, what for, and by whom;
- environmental factors that may affect its usability, such as sunlight and shade, noise or pollution;
- wider environmental factors affecting its quality or sustainability, such as a green corridor or drainage."

In accordance with paragraph 13.3.5 of the Arun Local Plan 2011-2031, the Council has published the

Arun District Design Guide SPD Consultation Draft. Section H.04 of the Design Guide deals with Residential Outdoor Amenity & External Space Standards. It recommends minimum separation distances between habitable rooms in back to back, back to side and front to front arrangements, the minimum depth for private rear gardens and the minimum area for communal shared spaces.

The proposed layout appears to accord with the recommended separation distances, with the exception of plots 22 to 24, which are less than the recommended minimum front to front distance of 16m in their relationship with plots 38 to 40. The habitable rooms in question are kitchens at ground floor level and bedrooms at first floor level. It is noted that the front of the dwellings are not directly parallel with each other but at an angle. The separation distance appears to be between 8m and 10m. These dwellings frame the view of the apartment block at the end of the shared surface lane.

Plots 22 to 24 comprise a terrace of three houses. While the house in the middle of the terrace faces the road, those either side have their front doors in the sides of the building. One of these faces the central area of public open space. The other faces an area of amenity planting and car parking spaces. Thus, it is the mid-terrace house only where this issue arises. While minimum separation distances between facing windows of habitable rooms, to maintain space and privacy, is essential at the rear it is not usually expected that the same degree of privacy would be provided at the front of a dwelling. The proposed distance would not be unusual in a shared surface mews in an urban area and in the planned layout for this site it is considered to be acceptable.

Private rear gardens are generally a minimum of 10m in depth, while the proposed communal shared space for the apartment building meets the recommended minimum area and is dealt with in the separate application (BE/106/19/PL).

Bin Storage

Policy WM DM1 of the Local Plan supports new residential development provided that:

- "a. It is designed to ensure that kerbside collection is possible for municipal waste vehicles
- b. Where appropriate, communal recycling bins and safe bin storage areas are available to residents of flats".

Policy HDQ7 of the Neighbourhood Plan requires bin stores and recycling facilities to be considered early in the design process and integrated into the overall scheme.

Bin storage for the houses is generally in the back gardens and for the apartments is in a communal store on the ground floor of the building. Access to the communal store was amended to take account of the comments of Sussex Police.

The layout features areas of hardstanding to accommodate the temporary storage of bins on collection day. The roads and turning heads have been designed to accommodate the movement of refuse collection vehicles, as mentioned above.

The proposed development is therefore considered to accord with Policy WM DM1 of the Local Plan and Policy HDQ7 of the Neighbourhood Plan.

Trees

Policy ENV DM4 of the Local Plan states: "Where there are existing trees on or adjacent to a development site, developers shall be required to provide:

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

These will ensure that 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."

In response to consultation on the application, the Council's Tree Officer has commented:

1. The applicants have employed ACD Environmental to prepare an Arboricultural Impact Assessment & Method Statement along with a Tree Protection Plan for this project.
2. The Tree Survey data is comprehensive and accords with the requirements of BS5837:2012. The retention category ratings for on and off-site trees are agreed.
3. All trees around the site appear to have been given adequate room by this layout so as to fully respect and preserve their nominal root protection areas, although some facilitation crown pruning will be necessary to achieve satisfactory clearance. None of that is problematic or unduly harmful to the character of the area.

The concerns that were raised in response to the plans that were originally submitted are considered to have been addressed in the revised proposals.

The proposed development is therefore considered to accord with Policy ENV DM4 of the Local Plan and Policy ES6 of the Neighbourhood Plan.

LANDSCAPING

"'Landscaping', in relation to a site or any part of a site for which outline planning permission has been granted... means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes:

- (a) screening by fences, walls or other means;
- (b) the planting of trees, hedges, shrubs or grass;
- (c) the formation of banks, terraces or other earthworks;
- (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and
- (e) the provision of other amenity features" (The Town and Country Planning (Development Management Procedure) (England) Order 2015).

Condition 9 of the outline planning permission (BE/77/16/OUT) states: "The landscape details referred to in Condition 1 shall include a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas other than privately owned domestic gardens. The landscape management plan shall be implemented in accordance with the approved details."

A Soft Landscape Management and Maintenance Plan dated 19 September 2019, prepared by ACD Environmental, was submitted with the application. The plan includes objectives, management responsibilities and maintenance schedules, as required by Condition 9. The stated objectives are:

1. To ensure the successful planting operations, establishment and continued healthy growth through to maturity of the trees, shrubs and grass;

2. To achieve a clean, tidy condition and appearance of all external areas; and
3. To ensure that the development provides biodiversity enhancements.

In addition to the landscape management plan, the application is accompanied by three plans showing full details of the Soft Landscaping Proposals and a Landscape Specification document.

A further drawing has been submitted which shows the location of proposed screen walls and fences.

In their response to consultation on this application, ADC's Leisure and Landscape Officer advised that the aims of the landscaping scheme should be:

- To design and implement a scheme that reflects and incorporates elements of its surroundings and enhances the atmosphere of local distinctiveness;
- To create a visually pleasing and interesting landscape for owners and visitors to the development;
- To enhance the landscape quality of the site when viewed from the surrounding area;
- To provide a planting scheme that includes native species to blend with the surrounding location enhance biodiversity and create enhanced wildlife corridor opportunity; and
- To provide a sense of flow and cohesion between the different elements of the landscape, buildings, open areas and surrounding environment.

It is considered that the current proposals fulfil these aims.

The proposed landscaping is acceptable and complies with Policy D DM1 of the Local Plan.

Open Space Provision

Policy OSR DM1 (2) of the Local Plan states: "Housing... will be required to contribute towards:

a. Open space provision in accordance with guidance set out in the current Open Space Study. In some parts of the District open space provision is identified as being sufficient in terms of quantity. Therefore, provision of new open space is not deemed necessary but what is needed is to seek contributions for quality improvements and/or new off-site provision in order to address any future demand. For larger scale developments, the quantity standards should be used to help determine the requirements for open space provision as part of that development."

Developments of the scale proposed in this application are expected to provide open space on site. Using the online calculator associated with the Open Space, Playing Pitches, Indoor and Built Sports Facilities SPD, a development of 50 dwellings would be expected to provide at least 0.352ha of public open space.

The s.106 agreement, dated 28th September 2017, requires the Owners to submit and obtain the approval of the District Council to an Open Space Scheme. Open Space Scheme "means a scheme to be submitted by the Owners and approved by the District Council in respect of the Open Space setting out:

- (a) the precise boundaries;
- (b) the detailed plans and specification for construction, laying out and planting;
- (c) a programme for the delivery; and
- (d) Management and Maintenance Proposals."

Open Space is defined as "the area of public open space and landscaping shown on the Green Infrastructure Drawing". The Green Infrastructure Drawing is identified as the Framework Plan 7096-L-NBL-01 E. On this drawing, the area of public open space is stated to be 0.52ha (including surface water

attenuation features).

The latest Proposed Site Layout (Drawing No. P101 Rev C) states that the area of public open space is 0.532ha. The layout has re-instated a continuous strip of open space around the edge of the site and a route for people on foot or bicycle. The applicant's agent has also stated that the SuDS area is "predominantly a 'dry' feature". Consequently, the revised proposal has addressed the initial concerns raised by ADC's Leisure and Landscape Officer.

The proposed provision of 0.532ha of on-site public open space is acceptable and complies with Policy OSR DM1(2a) of the Local Plan, the Open Space SPD and the s.106 agreement associated with the outline planning permission (BE/77/16/OUT).

Ecology

Policy ENV DM5 of the Arun Local Plan 2011-2031 states: "Development schemes shall... seek to achieve a net gain in biodiversity and protect existing habitats on the site. They shall also however incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats".

Condition 8 of the outline planning permission (BE/77/16/OUT) requires a detailed ecological enhancement scheme to be submitted to the local planning authority for approval in writing prior to the commencement of construction works. Consequently, there is no need for a further condition to be imposed at this stage to secure the additional information requested by ADC's Ecology Advisor.

OTHER MATTERS

Residential Amenity

Policy D DM1(3) of the Local Plan requires proposals to "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".

The nearest existing occupied dwellings are located north-east of the site and comprise five bungalows, with access from New Barn Lane, and three bungalows with access from Winston Crescent.

The nearest proposed building to these properties is the two-storey block of apartments. The building is sited at two angles to the north-east boundary, so that it does not directly face the rear elevations of the bungalows in Winston Crescent or the side elevation of the nearest bungalow in New Barn Lane. The building features a half-hipped roof at its northern end and most of the windows at first floor level in the rear elevation are dormers set into the eaves.

At its nearest points, the apartment building will be 15.5m from the south western corner of the bungalow at 21 New Barn Lane and 19m from the south western corner of the nearest bungalow in Winston Crescent. The depth of the proposed communal shared space varies because of the shape of the plot and the shape of the building. However, it will be 13m at the southern end of the building, 15m at the centre and 7.5m at the northern end. The recommended minimum back to boundary distance in Section H.04 of the Arun District Design Guide SPD is 12m.

In light of these physical characteristics and the residential nature of the use, it is considered that there will be no material adverse impact upon the amenities of existing residents in terms of loss of sunlight,

privacy and outlook or any unacceptable noise and disturbance.

Consequently, the proposed development accords with Policy D DM1(3) of the Local Plan.

Decentralised Energy

Condition 10 of the outline planning permission (BE/77/16/OUT) states: "At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources or equivalent fabric first standards that would secure a 10% reduction in energy use. Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the local planning authority (as part of the reserved matters submissions required by condition 1). The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter."

The applicant has submitted an Energy Statement dated 16 September 2019 prepared by Southern Energy Consultants. The report sets out the applicant's proposed strategy to minimise energy consumption and carbon dioxide emissions at the point of demand through the installation of highly efficient fabric, ventilation and heating systems, together with the benefits of passive solar gains. The report concludes that over the course of the lifetime of the proposed dwellings, such a strategy results in lower lifetime emissions (by 2.54%) than if the applicant sought to deliver a 10% reduction in per annum emissions through the specification of renewable energy or low carbon technologies. The report adds that the applicant's proposed approach involving the integration of best practice energy efficiency measures will also reduce the future energy bills of the occupants.

The applicant's proposed strategy is considered to accord with Policy ECC SP2 of the Arun Local Plan 2011-2031.

Drainage

Condition 5 of the Outline Planning Permission (BE/77/16) is a pre-commencement condition requiring full details of the proposed surface water drainage scheme to be submitted to and approved in writing by the local planning authority as part of a separate application. The condition also precludes the occupation of any building until the complete surface water drainage system serving the development has been implemented in accordance with the approved details.

Winter groundwater monitoring has been undertaken and there has been dialogue between the applicant's consultants and the Council's drainage engineers. The worst case groundwater conditions are now understood for this site. It has been concluded that, other than the use of lined attenuation features, the proposed layout the subject of this reserved matters application would not require amendment.

The proposed site layout (Drawing No. P101 Rev. C) appears to show the pumping station compound in the north west corner of the site at least 3 metres from the top of the bank of the boundary ditch. However, there is space within this part of the site for it to be moved slightly north-eastward if necessary. The distance between the pumping station boundary and the nearest dwelling can also be checked to ensure it meets the required technical standard when full details of the drainage system are submitted in pursuance of the relevant condition.

Drainage is therefore a matter for a future application for the approval of details reserved by Condition 5 of the Outline Planning Permission.

Environmental Health

The Council's Environmental Health Officer recommended the imposition of five conditions to address:

1. Electric vehicle charging points;
2. Air quality and emissions mitigation;
3. External lighting;
4. Land contamination; and
5. A construction management plan.

National Planning Practice Guidance states: "The only conditions which can be imposed when the reserved matters are approved are conditions which directly relate to those reserved matters. Conditions relating to anything other than the matters to be reserved can only be imposed when outline planning permission is granted."

Conditions to deal with air quality and land contamination are not related to any of the reserved matters and should not be imposed at this stage.

Condition 6 of the outline planning permission deals with a Construction Management Plan and Condition 11 of the same deals with street lighting.

Electric vehicle charging points relate to the parking provision, which is discussed above, and a suitably worded condition is included below.

CONCLUSION

The reserved matters application (BE/103/19/RES) seeking approval for access, appearance, scale, layout and landscaping is considered to be acceptable.

HUMAN RIGHTS ACT

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, drawings and documents:

18256 - S101 Location Plan
 18256 - S102 Site Survey
 18256 - P101C Proposed Site Layout
 18256 - P103A Building Materials Layout
 18256 - P104A Boundary Materials Layout
 18256 - P105A Surface Materials Layout
 18256 - P106A Car Parking Layout
 18256 - P107A Refuse Strategy Layout
 18256 - P108A Baker - Semi-Detached (Affordable) Floor Plans
 18256 - P109A Baker - Semi-Detached (Affordable) Elevations (Brick)
 18256 - P110A Bowyer - Detached Floor Plans
 18256 - P111A Bowyer - Detached Elevations (Brick)
 18256 - P112A Bowyer - Detached Elevations (Tile)
 18256 - P113A Carver - Detached Floor Plans
 18256 - P114A Carver - Detached Elevations (Tile Hanging)
 18256 - P115A Carver - Detached Elevations (Board)
 18256 - P116A Chandler - Semi-Detached Floor Plans
 18256 - P117A Chandler - Semi-Detached Elevations (Brick)
 18256 - P118A Chandler - Semi-Detached Elevations (Tile)
 18256 - P119A Cooper - Semi-Detached Floor Plans
 18256 - P120A Cooper - Semi-Detached Elevations (Brick)
 18256 - P121A Mason - Detached Floor Plans
 18256 - P122A Mason - Detached Elevations (Brick)
 18256 - P123A Mason - Detached Elevations (Tile)
 18256 - P132A Ploughwright.2 - Baker Terrace - (Affordable) Floor Plans
 18256 - P133 Ploughwright - Baker Terrace - (Affordable) Roof Plan
 18256 - P134 Ploughwright - Baker Terrace - (Affordable) Elevations
 18256 - P135 Ploughwright - Cartographer - (Affordable) Floor Plans
 18256 - P136 Ploughwright - Cartographer - (Affordable) Elevations
 18256 - P137A Apartment Block - (Affordable) Ground Floor Plan
 18256 - P138 Apartment Block - (Affordable) First Floor Plan
 18256 - P139 Apartment Block - (Affordable) Roof Plan
 18256 - P140A Apartment Block - (Affordable) Front & Side Elevations
 18256 - P141A Apartment Block - (Affordable) Rear & Side Elevations
 18256 - P142 Single & Double Garage Floor Plans & Elevations (Gabled)
 18256 - P143A Twin Shared Carport & Garage Floor Plans & Elevations
 18256 - P144 Communal Store & Private Sheds Floor Plans & Elevations

18256 - P148 Mason - Detached Elevations (Boarding)
 18256 - P149 Goldsmith - Detached Floor Plans
 18256 - P150 Goldsmith - Detached Elevations (Brick)
 18256 - P151 Goldsmith - Detached Elevations (Boarding)
 18256 - P152 Chandler - Semi-Detached Elevations (Boarding)
 18256 - P153 Permeability Plan
 DR-C-0151 Rev P03 Swept Path Analysis
 BELL22532-01A Tree Protection Plan
 BELL22532aia-ams Arboricultural Impact Assessment Revision A
 BELL22532 11 Soft Landscape Proposals Sheet 1 of 3 Rev A
 BELL22532 11 Soft Landscape Proposals Sheet 2 of 3 Rev A
 BELL22532 11 Soft Landscape Proposals Sheet 3 of 3 Rev A
 Landscape Specification - 19 September 2019 - by ACD Environmental
 Soft Landscape Management and Maintenance Plan - 19 September 2019 - by ACD Environmental
 Energy Statement - 16 September 2019 - by Southern Energy Consultants

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 2011-2031.

- 2 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, which meets the minimum requirements for the year 2023 set out in Table 2.2 of the Arun Parking Standards SPD, shall be submitted to and approved in writing by the local planning authority. Thereafter, the scheme shall be implemented in accordance with the approved details and the charging points shall 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 2011-2031, the Arun Parking Standards SPD and the National Planning Policy Framework.

- 3 The use of the new access shall not commence until visibility splays of 2.4 metres by 40 metres have been provided at the proposed vehicular site access onto New Barn Lane in accordance with the drawing numbered A13395-T-001 approved under application BE/40/18/PL. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metres above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of amenity and to avoid unacceptable harm to highway safety in accordance with Policy T SP1 of the Arun Local Plan 2011-2031 and the National Planning Policy Framework.

- 4 Notwithstanding the provisions of Class A within 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 extension shall be erected beyond the rear wall of the dwellinghouses hereby permitted unless planning permission is first 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 Local Plan 2011-2031.

- 5 The dwellings hereby permitted shall not be occupied unless and until full details, including a

timetable for construction, of the proposed footpath linking the site with Winston Crescent have been submitted to and approved in writing by the local planning authority. The footpath shall be constructed in accordance with the approved details and maintained in good condition thereafter.

Reason: To ensure a safe and secure means of pedestrian access to and from the site in accordance with Policies H SP2a and T SP1 of the Arun Local Plan 2011-2031.

- 6 The apartment building hereby permitted shall not be occupied unless and until the adjoining land to the north-east of the site has been enclosed and landscaped as outdoor amenity space in accordance with the planning permission BE/106/19/PL.

Reason: To ensure adequate outdoor amenity space is provided for the residents of all new dwellings in accordance with Policies D SP1, D DM1 and QE SP1 of the Arun Local Plan 2011-2031 and Policy HDQ6 of the Bersted Neighbourhood Plan 2014-2029.

- 7 Prior to any construction works taking place or the introduction of any machinery and plant to the site, a pre-commencement site meeting is to take place between the Arun DC Tree Officer and the Arboricultural Expert representing the site owners. At this meeting protective fencing will be inspected to verify it is 'Fit for Purpose' as required under British Standard 5837 (2012) and has been erected and positioned exactly as shown on the Tree Protection Plan.

Reason: To comply with BS5837:2012 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality are not compromised so they can continue to enhance the landscape and amenity of the area.

- 8 Tree pruning work must be carried out by an experienced and competent Arborist. Where branches are to be shortened, the final cuts are to be made at the correct angle shown in BS3998:2010 and adjacent to a live bud or lateral.

Reason: In the interests of the trees' continued health and vitality and to accord with current industry guidelines and sound arboricultural practice to ensure the retention of the trees which make an important contribution to the locality in accordance with Policy ENV DM4 of the Arun Local Plan 2011-2031.

- 9 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 external walls and roofs of the proposed buildings has been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and the character and appearance of the area in accordance with Policy D DM1 of the Arun Local Plan 2011-2031.