Recommendation Report for Planning Permission

REF NO: BN/112/21/PL

LOCATION: Land adj to 14 Stoneyfield Cottages
Eastergate Lane
Eastergate
PO20 3SL

PROPOSAL: **1 No. 4 bed detached dwelling and associated parking and gardens. This application is within CIL Zone 3 and is CIL Liable as a new dwelling. This application is a Departure from the Development Plan.**

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a detached two storey 4 bed property with parking and garden.
TOPOGRAPHY	Predominantly flat.
TREES	None of significance affected by the development.
BOUNDARY TREATMENT	Hedging and planting to the front and west boundary and a post and rail fence to the east at around 1m in height.
SITE CHARACTERISTICS	The site comprises a grass verge located to the eastern end of a row of semi-detached properties. The nearby dwellings are similar in appearance consisting of 2 storeys with gardens to the front and rear.
CHARACTER OF LOCALITY	Largely rural in character with intermittent neighbouring properties of various sizes. Eastergate Lane is a rural road in nature and does not feature footpaths.

None.

REPRESENTATIONS

Barnham and Eastergate Parish Council provided no objection provided the tree officer was satisfied there would be no harm on trees or bat activity in the area.

5 letters of support from nearby occupiers.
- Due to poor fencing, the site cannot be used for livestock and is of no use.
- The property should not negatively impact the area.
- The style reflects local architecture.
- The planted garden will better contribute to biodiversity.
- It will support local employment.
- Good use of an otherwise unused part of land.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and addressed in the conclusion.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADC Drainage - Request pre commencement condition relating to surface water drainage.

WSCC Highways - Access is proposed off an existing access road and the property is not considered to result in an adverse increase in movements at the site. The parking provision of 3 spaces is sufficient and of a suitable size. It allows for turning on site. Does not consider this proposal would have an unacceptable impact on highway safety. Conditions requested for the submission of details regarding cycle storage and electric car charging points.

ADC Ecology - The mitigation and enhancement provided in the appraisal report are acceptable and it should be conditioned that the enhancements are implemented in their entirety.

Natural England - Natural England is not able to fully assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes or, provide detailed advice on the application. It is for the local planning authority to determine whether or not the proposal is consistent with national and local environmental policies.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. A condition for cycle storage plans to be submitted is not considered necessary with this displayed on the plans already submitted.

POLICY CONTEXT

Outside built up area boundary

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
CSP1	C SP1 Countryside
DSP1	D SP1 Design
ECCSP1	ECC SP1 Adapting to Climate Change
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
QEDM2	QE DM2 Light pollution
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
WMDM1	WM DM1 Waste Management

Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES1	Applications for new development must meet the local drainage requirements
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES10	Trees and hedgerows
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES5	Quality of design
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES6	Contribution to local character
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES8	Buildings should be designed to reflect the three-dimensional qualities of traditional buildings
Barnham & Eastergate Neighbourhood Plan 2014 POLICY H2	Windfall sites
Barnham & Eastergate Neighbourhood Plan 2014 POLICY H4	Integration of new housing into surroundings
Barnham & Eastergate Neighbourhood Plan 2014 POLICY H5	Outdoor space
Barnham & Eastergate Neighbourhood Plan 2014 POLICY H7	Drainage for new housing
Barnham & Eastergate Neighbourhood Plan 2014 POLICY GA4	Parking and new development

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
SPD13	Arun District Design Guide (SPD) January 2021

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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

The policies contained within the Barnham & Eastergate Neighbourhood Plan (made 2014) and the Barnham & Eastergate Neighbourhood Plan Version 2 (at Reg 17 stage) are also relevant in the determination of this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal fails to comply with relevant Development Plan policies in that it would constitute residential development outside the Built-Up Area Boundary in the designated Countryside, contrary to policies C SP1 of the Arun Local Plan.

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

(2) in dealing with an application for planning permission the authority shall have regard to -
(a) the provisions of the development plan, so far as material to the application,
(aza) a post examination draft neighbourhood development plan, so far as material to the application,
(b) any local finance considerations, so far as material to the application, and
(c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations (the Council's current lack of a 5 year housing land supply) to be weighed in the balance with the Development Plan.

CONCLUSIONS

KEY ISSUES
The key issues are principle, design and visual amenity, residential amenity, highways/traffic and space standards.

PRINCIPLE
Section 38(6) of the Planning and Compulsory Purchase Act 2004 states applications should be determined in accordance with the plan unless material considerations indicate otherwise. The Development Plan for the Arun District currently comprises the Arun Local Plan 2011-2031 ("ALP") , Barnham and Eastergate Neighbourhood Plan 1. The BENP2 is at Regulation 17 stage.

The site lies outside the Built-Up Area Boundary and is defined as being in the Countryside. The proposal does not meet any of the exception tests set out in the Arun Local Plan (ALP) policy C SP1 to justify countryside development. According to policies in the Development Plan, the proposal for development in this location is unacceptable in principle, and would conflict with ALP policy C SP1. Policy H2 of the BENP allows for windfall sites in the Parish - as this policy is older than the adopted plan CSP1 has more relevance. Barnham & Eastergate Neighbourhood Plans (B&ENP) 2 policy H8.

Despite conflict with these Development Plan policies there are material considerations, given the Council's lack of a 5 year housing land supply and application of the NPPF's 'presumption in favour of sustainable development'.

Recent appeals decisions for single dwellings outside the BUAB at 32 Hill Lane, Barnham and Poachers, Eastergate need to be considered when determining this application.

In December 2020, the Council republished its Authority Monitoring Report (AMR) for 2019/20. This states the HLS increased to 3.3 years. Those policies most relevant to the determination of the application have reduced weight. A relevant material planning consideration is the Council's lack of a 5 year Housing Land Supply (currently 3.3 years). In order for the NPPF's (para 11) 'presumption in favour

of sustainable development' to apply it must first be assessed whether the proposal would constitute 'sustainable development'.

For development proposals to be considered 'sustainable' they have to satisfy the environmental, economic and social tests as per paragraph 8 of the NPPF.

The proposal for a dwelling meets the economic objective and would result in some economic gains in terms of providing employment during the construction phase and potential local spending, and these economic benefits weigh in the schemes favour. The proposal meets the social objective, making a modest contribution of 1 new home to the District's housing supply. In terms of being in an environmentally sustainable location and accessible, the appeal site is in walking or cycling distance of local services and facilities, which are available in the nearby settlements, and there is a pavement and a bus service running along the A29 Fontwell Avenue to the west of the site. There is a bus stop to the south east on Barnham Lane, with the property located a similar distance from each one. There is a lack of pavements and lighting along Eastergate Lane which is likely to result in an increased use of motor vehicles to get to and from the site.

Poachers on Eastergate Lane (BN/46/20/PL) was won on appeal in 2021 and is located on the same road as the proposed, outside of the built up area boundary. This decision recognised the area as a sustainable location.

Para 14 does not apply as the NP was not adopted within 2 years.

On balance, the proposal would fall within a sustainable location.

DESIGN AND VISUAL AMENITY
ALP policy D DM1 requires the Council seek to make the best possible use of land by reflecting or improving upon the character of the site and the surrounding area. It requires the Council to consider scale, massing, aspect, siting, layout, density, building materials, landscaping, and design features. It is necessary that development demonstrates a high standard of architectural principles, use of building materials and hard and soft landscaping to reflect the local area.

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

Policy ES1 of the B&E NP1 states 'All new development with the parishes should be of a high quality design.'

The property is to be located to the east of an existing row of semi-detached properties. The site forms a grass verge and is highly visible, although there is some hedging to the front elevation which provides some screening from the road.

The principle elevation would meet in line with the front of neighbouring dwellings and does not appear to extend beyond the established development line, retaining 20.9m to the front boundary. Hedging will be retained along the principal elevation which helps screen the dwelling in the street scene. The property retains sufficient separation to the side boundaries between 2-3m and appears to sit comfortably within the site and does not result in a terracing effect.

The appearance of the dwelling is consistent with that of neighbouring properties, being of a similar size, featuring a hipped roof and a two storey gable front. It will have a small side addition to enable cycle and bin storage and a single storey extension to the rear. Materials are multi stock bricks with decorative

brickwork on the windows and ground floor and plain roof tiles, which integrate will the materials present in the vicinity.

Arun recently adopted a Design Guide which provides detailed guidance that will help raise design standards across the District. Section P relates to infill development and states 'development should emulate the established pattern of building height, scale, plot width,' 'Provide sufficient access to new dwellings' 'Respond positively to the character, appearance and layout of surrounding buildings'. Building Design (Section J) notes new buildings should have a form and character that reflect their setting and reflect the scale of existing buildings in the area, the need to use attractive detailing and high quality materials and that traditional materials will be actively encouraged to reflect the local vernacular of the area. The proposal is considered to comply with this, with the design and size comparable to that of the surrounding properties, emulating the existing pattern of development and utilises an existing access road. The materials reflect those of the surrounding area.

With the property set back from the street scene and with sufficient boundary treatment, the dwelling due to its siting, design and scale is not considered to result in an adverse impact upon the street scene or character of the area and accords with D DM1 of the Arun Local Plan and ES5 of the Barnham and Eastergate Neighbourhood Plan.

RESIDENTIAL AMENITY
Policy QE SP1 of the Arun Local Plan requires that development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity.

There are no neighbouring properties to the rear or eastern elevation of the dwelling. To the west 3-3.8m is retained to the boundary which is acceptable separation to ensure the proposal does not result in an adverse overbearing impact. Existing trees and planting along the boundary will be retained which again further screen the property from its immediate neighbour.

The rear building line which features a single storey addition at the rear, extends no further than the rear neighbouring elevation to the west and due to its siting is not considered to result in adverse overbearing or overshadowing on 14.

There will be 1 first floor and 2 ground floor windows to the western elevation. The first floor window serves a landing and is not considered to result in adverse overlooking. With no properties to the rear, the development does not give rise to overlooking and as a result of the angle, the first floor rear facing window is unlikely to provide views over the garden of No.14. Windows to the east and front will provide views of the street scene and access road.

The dwelling due to its location is not deemed to result in harm upon amenity by way of overbearing, overshadowing or overlooking and accord with D DM1 and D SP1 of the Arun Local Plan.

INTERNAL SPACE SIZES
Policy D DM2 of the Arun Local Plan requires internal spaces to be an appropriate size to meet the requirements of all occupants and their changing needs.

To accord with National Internal Space Standards the below sizes would need to be met for a 4 bedroom two storey property.

4b 5p 90m2
6p 106m2
7p 115m2

8p 124m2

The proposal would have a floor space of approximately 154sqm and complies with requirements.

EXTERNAL SPACE STANDARDS

Section H.04 of the recently adopted Arun Design Guide SPD advises that outdoor amenity spaces should be of an appropriate size and shape and be usable and enjoyable. It states that rear gardens should have a minimum depth of 10.5m and buildings should be set back by 2m from the plot boundary to mark defensible space.

The site plan demonstrates there would be adequate sized external amenity space provided with a depth of 31m and a width of 16m. There is also a relatively large front garden and as such the provision of amenity space accords with the policies and Section H.04 of the Arun Design Guide.

PARKING
Arun Local Plan Policy T SP1 seeks to ensure development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network.

Regard should be had to paragraph 111 of the NPPF which states: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

Policy GA4 of the B&E NP1 states 'Development proposals will be supported only if they include the maximum level of offstreet parking consistent with the current standards'.

Arun District Council adopted its Parking Standards SPD in January 2020 and require a 4 bed property in this location (Parking Behaviour Zone 1) to provide a minimum of 3 parking spaces on site. Electric vehicle charging points at a rate of 1 charging point per house with a garage or parking space should be provided, as per the ADC Parking SPD. 3 spaces are provided which complies with the requirements.

The 3 parking spaces are north of the dwelling and these appear slightly at odds with the surrounding area as the parking area extends further north than neighbouring dwellings. However this is not considered to result in a significant impact as it meets roughly in line with the road at Stoneyfield Cottages and with boundary treatment in place, the parking area does not appear as a prominent feature in the street scene.

There is a road which runs alongside the proposed dwelling which forms an access for a nursery to the rear of the site and this is where vehicular access would be sited to allow for parking to the front of the dwelling, therefore utilising an existing access road.

In terms of bicycle storage, the applicant demonstrated cycle storage with a side addition constructed to the eastern elevation which allows for sustainable travel movements.

WSCC Highways have been consulted and consider the parking acceptable and as such accords with T SP1 of the Arun Local Plan and GA4 of the Barnham and Eastergate Neighbourhood Plan 1.

FLOOD RISK AND DRAINAGE
The site falls in Flood Zone 1 and is at low risk of flooding although does fall in the Lidsey Wastewater Treatment Works Catchment Area.

Policy W DM1 (ALP) states: "Although minor developments are unlikely to raise significant flood risk due to the cumulative impact all development within this area must also be accompanied by a Drainage Impact Assessment.

Policy ES1 of the B&ENP requires that new development should reduce the overall level of flood risk in the area, which includes taking account of the Lidsey Water Treatment Works Catchment Area. The ADC Design SPD (Section K.04) requires that development incorporate Sustainable Drainage Systems (SUDs) and flood risk mitigation.

A foul and surface water drainage assessment was submitted and the drainage engineers were consulted and raise no objection to the principle of the development in respect of surface water drainage however requested a pre commencement condition be included which has been agreed.

Subject to conditions, the development would be adequately drained from surface water and foul water and would not increase flood risk elsewhere, in accordance with relevant policies of the Arun Local Plan and policy ES1 of the Barnham and Eastergate NP 1.

BIODIVERSITY
Aruns Local Plan policy ENV DM5 states: "Development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on 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 (whether designated or not)."

Section E.03 of the ADC Design SPD seeks to protect and enhance biodiversity in the development site and the wider area.

The site falls in the Singleton and Cockington Tunnels, Special Areas of Conservation (SAC), consultation zone, which is identified for supporting maternity colonies of Barbastelle bats.

The conservation objectives of the SAC include avoiding the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species.

Natural England were consulted on the application and an appropriate assessment was sent to them detailing potential impacts with regards to the proposed development upon Singleton and Cocking Tunnels. They did not raise an objection.

An ecological walkover study was undertaken at the site to assess for wildlife at and within 50m of the site. This included inspections for bats. Extant trees were inspected for potential roosting area and no notable habitats or species were found in or adjacent the site.

The study includes mititation measures which should be put into place which includes.
- A lighting scheme to ensure no harm to bat flight paths.
- Inclusion of bats boxes
- Inclusion of house martin nest cups
- Two bee bricks to be installed
- Planting to be of native or wildlife friendly species.

Consultation received from the ADC Ecologist confirms the measures included in the report are acceptable and it should be conditioned that the mitigation in section 5.3 is provided and enhancements within 5.4 are implemented. This will be included.

The proposals protects and enhance ecology and biodiversity, in accordance with the NPPF, and policy ENV DM5 of the Arun Local Plan.

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

No response has been received from the tree officer and as such it is difficult to justify a refusal on tree grounds. There are 2 trees proposed for removal to the east to allow the access on the site to be constructed. These are not protected and the site does not fall within a Conservation Area and therefore permission is not required for their removal.

There are other trees in the site, however they are to be retained and the build does not fall in their RPA.

The proposal compiles with relevant policies ENV DM4 of the Arun Local Plan and ES10 of the Barnham and Eastergate Neighbourhood Plan 1.

CLIMATE CHANGE:

ALP policy ECC SP2 requires new residential and commercial development be energy efficient and incorporate decentralised, renewable and low carbon energy supply systems. ECC SP1 requires new development be designed to adapt to impacts arising from climate change. The submitted Planning, Design and Access Statement includes some details of energy efficiency measures that will be included such as water efficiency and locally sourced materials. It is however necessary to impose a condition to secure the precise details of these. This will ensure compliance with the policies.

CONCLUSION

Since the proposals would constitute 'sustainable development' , the NPPF's 'presumption in favour of sustainable development' would apply. It is concluded there would not be any adverse impacts which would significantly and demonstrably outweigh the benefits of the scheme. The proposal is therefore recommended for approval, subject to the following planning conditions:.

HUMAN RIGHTS ACT

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

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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

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

CIL DETAILS

This application is CIL Liable therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)

RECOMMENDATION

APPROVE CONDITIONALLY

1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby approved shall be carried out in accordance with the following approved plans
- Location and Proposed Block Plan - 02 A
- Site Plan and Proposed Ground and First Floor Plan - 03
- Proposed North and East Elevation - 04
- Proposed South and West Elevation - 05
- Proposed Sections - 06
- Ecological Apprasial - V1 July 2021
- Planning, Design and Access Statement

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

3 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water

drainage system prior to commencing any building works.

4 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the National Planning Policy Framework) unless it can be demonstrated that a fabric-first approach would achieve an equivalent energy saving. Details and a timetable of how this is to be achieved for the development, including full details of physical works on the site, shall be submitted to and approved in writing by the Local Planning Authority before any development begins. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter.

Reason: In order to secure a reduction in the use of energy at the site in accordance with national planning policy and policy ECC SP2 of the Arun Local Plan. This is required to be a pre-commencement condition because the approved measures may need to be built into the fabric of the buildings.

5 Prior to the occupation of any part of the development, a strategy for the provision of the highest available headline speed of broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall consider the timetable for the delivery of 'superfast broadband' (defined as having a headline access speed of 24Mb or more) in the vicinity of the site (to the extent that such information is available). The strategy shall seek to ensure that upon occupation of a dwelling, the provision of the highest available headline speed of broadband service to that dwelling from a site-wide network is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site will continue in accordance with the approved strategy.

Reason: To safeguard the amenities of future residents in accordance with Arun Local Plan policy TEL SP1.

6 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan (No.03). These spaces shall thereafter be retained at all times for their designated purpose.

Reason: In the interests of road safety and D DM1 of the Arun Local Plan.

7 No construction/demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no works taking place on Sunday or Bank Holidays unless they are not audible outside of the application site.

Reason: To protect the amenity of local residents in accordance with policies QE SP1 and QE DM1 of the Arun Local Plan

8 Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time an ecologist will need to check the site before any works take place (within 24 hours of any work).

Reason: To enhance the environment for local wildlife and result in net biodiversity gain, in accordance with the relevant legislation and policy ENV DM5 of the Arun Local Plan.

9 Prior to occupation, the mitigation as provided in the submitted Ecological Appraisal (v1) July 2021, Section 5.3 of the report (bats,reptiles, amphibians, birds and hedgehogs) and the

enhancements as provided in Section 5.4 of the report should be implemented in their entirety. The details approved shall be retained in perpetuity/as mentioned in the report.

Reasons: To enhance the environment for local wildlife and result in net biodiversity gain, in accordance with the relevant legislation and policy ENV DM5 of the Arun Local Plan.

10 No part of the development shall be first occupied until the electric vehicle charging space have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority. The details so approved shall be maintained in perpetuity.

Reason: To provide sustainable travel options in accordance with the NPPF and the Arun Parking Guide SPD.

11 INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm event plus 40% on stored volumes/rainfall intensity (allowance for climate change) between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year storm event plus 40% on stored volumes/rainfall intensity. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Supplementary guidance notes regarding surface water drainage are located at https://www.arun.gov.uk/drainage-planning-consultations on Arun District Council's website. A surface water drainage checklist is available on Arun District Council's website, this should be submitted with a Discharge of Conditions Application.

12 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 enlargement of a dwellinghouse by construction of additional storeys shall be constructed within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

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

13 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.

14 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.

15 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.