

Recommendation Report for Planning Permission

REF NO: BN/19/18/PL

LOCATION: The Cottage Piggeries
Church Lane
Barnham
PO22 0DB

PROPOSAL: Erection of 1 No. dwelling & separate single storey double garage. This application is a Departure from the Development Plan.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The dwelling will be two storeys and provides 5 bedrooms. It will be a total of 10.17m to the ridge (5.35m to the eaves). It is considered to have a fairly grand appearance and includes a small flat roofed 'orangery' on the rear. The detached double garage will be 5.55m to the ridge and 2.54m to the eaves. There will be additional parking/turning space in front of the house and a large rear garden.
SITE AREA	0.1623 hectares.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	6 dwellings per hectare.
TOPOGRAPHY	The site starts flat close to the boundary with Sandon but then begins to slope away in a north westerly direction. The slope is not significant close to the neighbouring property Birchwood House but gradually gets steeper. The total drop-off is considered to be in the region of 2m.
TREES	There were three Pine trees within the curtilage of Birchwood House to the southwest which could have been affected by the development. However, these were not considered to be worthy of long term protection and the neighbour has removed the trees.
BOUNDARY TREATMENT	- 1.2m high post & wire fence to the driveway with a 1.6m high timber fence beyond to Tars Farm; - 1.9m high timber fence to Birchwood and Sandon; and - 2m hedge to the rear.
SITE CHARACTERISTICS	Existing grassed enclosed parcel of land currently used for domestic purposes in connection with the mobile home to the north west.
CHARACTER OF LOCALITY	Rural location with open fields beyond the Cottage Piggeries mobile home to the west. Church Lane has a mixture of detached properties of various styles and designs, some of which are quite grand in appearance.

There are four existing adjoining residential properties to consider. Firstly, Tars Farmhouse to the north east which has two storeys and some upstairs windows overlooking the site at a distance of 30-35m. Secondly, Sandon to immediate south east which is a bungalow. It two bedroom windows on the elevation facing the site but no windows on the gable end closest to the shared boundary. Birchwood House lies to the immediate south west. It is set away from the boundary by the width of a flat roofed garage and has one first floor flank bathroom window above which overlooks the site. A rear first floor bedroom bay window also offers oblique angle views of the site. Finally, the Cottage Piggeries mobile home to the north west which is owned by the applicant but will remain albeit occupied by new persons.

RELEVANT SITE HISTORY

BN/22/11/	Proposed siting of a static caravan for residential occupation (this application is a Departure from the Development Plan)	ApproveConditionally 29-02-12
BN/59/04/	Development of site for 2 no. five bedroom houses with integral garages and access to Church Lane. (This application is a Departure from the Development Plan)	Refused 31-01-05 Appeal: Dismissed 02-09-05

Application BN/59/04 is considered to be a precursor to this proposal. It was refused for the following four reasons:

(1) The site lies in a rural area and the proposal, which comprises an undesirable extension of residential development, would be prejudicial to the rural character of the area in which it is intended that permission for development unrelated to an essential rural activity will not normally be granted. The proposal is therefore contrary to policy LOC2 of the West Sussex Structure Plan and policies GEN3 and GEN7 of the Arun District Local Plan.

(2) The proposal would constitute an unsatisfactory form of backland development which, together with the incidental use of the proposed means of access, would be unneighbourly and adversely affect the privacy and quiet enjoyment of neighbouring properties in conflict with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

(3) The proposal does not make provision for adequate visibility at the junction of the access with the public highway in conflict with policies NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

(4) The access is unsatisfactory to serve the proposed development by reason of inadequate width and construction in conflict with policies NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

It was subsequently dismissed on appeal. However, it should be noted that the Development Plan framework has since changed with the adoption of the new Arun Local Plan 2011-2031 in 2018 and the Barnham & Eastergate Neighbourhood Development Plan in 2014. In addition, the National Planning Policy Framework was published in 2012 and then revised in 2018. Therefore, it is considered appropriate to pay only limited weight to this previous decision.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Barnham Parish Council

Barnham Parish Council

Barnham Parish Council initially objected on the grounds of size, design & materials. They did not object to the principle of development. However, following further consideration (including a site visit), they responded to withdraw the objection with the following explanation:

"The reasons for that recommendation were based on having actually had access to the physical site and location of the proposed building the concerns over the size of the building were allayed - it was felt that the paper plans gave a false impression of the size the building. Whilst some aspects of the design are still a slight concern, the location of the building, which is set back on the site and therefore unlikely to be visible from the road, particularly when the gates are closed, the Council felt that the design would not have enough of a detrimental impact on the area for their previous objection to stand."

One letter from the owner of Birchwood House was forwarded by the applicant but this only advised of the felling of the Pine trees.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

Southern Water Planning

Arboriculturist

WSCC Strategic Planning

Arboriculturist

Arboriculturist

WSCC Strategic Planning

CONSULTATION RESPONSES RECEIVED:

SOUTHERN WATER - Raise no objection subject to an informative re foul sewer connections, a surface water drainage condition and a condition to protect any unrecorded public sewers which may be present on the site.

WSCC HIGHWAYS - Initially objected on grounds of intensification of an unsafe access. However, have reconsidered the proposal in light of historic information in respect of the use of the access. This

demonstrates that the access point in question could have been used by two dwellings up to January 2013. In addition under BN/22/11, the Local Highways Authority accepted that the site historically could have generated independent vehicular activity. There have also been no accidents associated with the access over the last 10 years. It is therefore concluded that the proposed additional dwelling will not result in a vehicular material intensification of use, over and above what the access point could have generated at times during the past 10 years. Request conditions to ensure the preservation of garage parking spaces and to ensure that construction of the dwelling does not obstruct the access.

ADC TREE OFFICER - No objections on the grounds that the three Pine trees in the neighbouring property are no longer present.

ADC DRAINAGE ENGINEERS - Request that standard condition ENGD2A is imposed and state that soakaways must be investigated for surface water disposal.

COMMENTS ON CONSULTATION RESPONSES:

All comments noted.

POLICY CONTEXT

Designations applicable to site:

Outside the Built Up Area Boundary;
Flood Zone 1;
No Public Sewer;
Area of Special Advert Control; and
Grade 2-3 Agricultural Land.

DEVELOPMENT PLAN POLICES

CSP1	C SP1 Countryside
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
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
HSP1	HSP1 Housing allocation the housing requirement
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SODM1	SO DM1 Soils
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WSP1	W SP1 Water

[Barnham & Eastergate Neighbourhood Plan 2014](#) Applications for new development must meet the

POLICY ES1

	local drainage requirements
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 ES10	Trees and hedgerows
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES11	Energy efficiency of new development
Barnham & Eastergate Neighbourhood Plan 2014 POLICY GA1	Connection to sustainable transport
Barnham & Eastergate Neighbourhood Plan 2014 POLICY GA4	Parking and new development
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 H6	Attention to detail

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2011-31, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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.

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

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

The relevant policies of the Barnham & Eastergate Neighbourhood Development Plan are referred to within this determination.

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 conflict with policy C SP1 of the Arun Local Plan 2011-31 on the grounds that it will create a new dwelling in the countryside. However, it will comply with policy H2 of the Barnham & Eastergate Neighbourhood Development Plan which allows for small scale infill development within the countryside. The proposal is considered to comply with all other relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality, on the residential amenities of the adjoining properties, on the safety and convenience of the road network or on the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that the proposed location of the dwelling site set some 31m from the highway as well as the topography of the site are important material considerations as it is considered that there will be no harm to the streetscene or character of the harm due to the very limited visibility of the new house in the public realm.

CONCLUSIONS

PRINCIPLE:

The new Arun Local Plan 2011-2031 (ALP) was adopted on the 18th July. With this new Plan in place, the Council can now demonstrate an NPPF compliant 5 year housing land supply. The application site lies outside of the defined settlement boundary as shown within the ADLP and therefore falls within countryside. Policy C SP1 states that development in the countryside will only be permitted where it relates to certain criteria. The proposal does not meet any of the stated criteria and therefore would be unacceptable in principle. However, it is not considered that this should automatically result in a refusal unless there is also harm to the character of the countryside.

It is also necessary to consider the policies of the Barnham & Eastergate Neighbourhood Development Plan (BENDP). The BENDP was made (adopted) in July 2014 on the basis of the saved policies in the 2003 Arun District Local Plan and the draft policies in the 2014 publication version of the emerging Arun Local Plan. The BENDP does not set a built up area boundary and policy H2 allows for the development of small residential developments on infill and redevelopment sites within the parishes. The policy does not state that these must be within the built up area boundary.

Section 38 (5) of the Planning and Compulsory Purchase Act 2004, states that: "If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document". Therefore, the conflict between policy H2 of the BENDP and policy C SP1 of the ALP would be resolved in favour of the ALP.

Regard should also be had to policy SD SP1 of the ALP which states that: "When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will work pro-actively with applicants to jointly find solutions which mean that proposals can be approved wherever possible and to secure development that will contribute to the social, economic and environmental conditions south of the National Park through to the coast and throughout its settlements (both coastal and inland)."

It is considered likely that the proposal would be considered to be sustainable having regard to it being within close walking/cycling distance of the centre of Barnham which has a railway station, bus stops and food shops.

AGRICULTURAL LAND:

The mapping data available via Defra's online Magic mapping tool is not accurate given the scale of the mapped data but does suggest that this area falls within grades 2-3. Therefore, it is necessary to consider policy SO DM1 of the ALP which states that:

"Unless designated by this Plan or a Neighbourhood Development Plan, the use of Grades 1, 2 and 3a of the Agricultural Land Classification for any form of development not associated with agriculture, horticulture or forestry will not be permitted unless need for the development outweighs the need to protect such land in the long term.

The requirement to protect the best and most versatile land can be outweighed if it is demonstrated through sustainability and options appraisals that:

- a. Preservation of land of lower agricultural quality has greater benefits in terms of ecosystem services (for example carbon storage, flood water retention, support of biodiversity);
- b. That any site preferred for development is demonstrated to be the best and most sustainable option, including but not limited to the terms of land quality, ecosystem services, infrastructure and proven need; and
- c. The proposed development meets the requirements of the countryside policy and/or equine development policy.

Where development is permitted it should, as far as possible, use the lowest grade of land suitable for that development. Development will not be permitted unless:

- d. The applicant has submitted sustainability and options appraisals, mitigation measures, and a soil resources plan for the development site;
- e. Site appraisal documents submitted by the applicant must demonstrate that consideration has been given to DEFRA's Soil Strategy for England;
- f. The productivity of the land is demonstrated using a methodology for assessing gross margins as contained in the Arun Soils and Agricultural Land Assessment Report; and
- g. The applicant has submitted a comprehensive soil resources plan for the development site which demonstrates that care will be taken to preserve the soil resource, such that it can be incorporated into a Productive Green Environment following development."

The applicant has not supplied any information to justify the proposal against the requirements of this policy. However, it is considered that this is a very small area of land (0.1623 hectares) which would not be viable for the purposes of the growing of crops. Modern agriculture and arable farming has changed to the extent that it is now larger in scale with an emphasis on large tracts of land as opposed to

collections of individual fields. It is also considered that the access to the site would not be suitable for regular use by agricultural vehicles and that such activity could be detrimental to residential occupiers. Therefore, despite the grade of soil on the land, it is considered that the site is limited for future agricultural use due to its size/workable area and accessibility.

DESIGN & CHARACTER:

ALP policy D DM1 requires that the Council have regard to certain aspects including:

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

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

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

(14) Scale - "The scale of development should keep within the general confines of the overall character of a locality unless it can be demonstrated that the contrary would bring a substantial visual improvement."

Furthermore, policy D SP1 "Design" states that:

"All development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details. Development proposals should have been derived from: a thorough site analysis and context appraisal; adherence to objectives informing sustainable design (inclusivity, adaptability, security, attractiveness, usability, health and wellbeing, climate change mitigation and habitats); and the influence these objectives have on the form of the development. With major developments or allocated sites in the Development Plan, in addition to a Design and Access Statement, a context appraisal, context plan and analysis of the site will also be required"

BENDP policies ES5 (Quality of design), ES6 (Contribution to local character), ES8 (Buildings should be designed to reflect the three-dimensional qualities of traditional buildings), H4 (Integration of new housing into surroundings) and H6 (Attention to detail) are all considered to be relevant. These set out requirements for high quality design, the early integration of building features & details and development that reflects the design & character of surroundings.

Paragraph 127 of the NPPF states that "Planning policies and decisions should ensure that developments: (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)."

The proposed dwelling is considered to be large and somewhat grand in appearance with arched windows, bay windows, a pillared open porch, rear orangery and pitched roof detached garage building. However, there are similarly large (in scale & footprint) residential buildings elsewhere on Church Street such as Birchwood House immediately adjacent as well as Fircroft & Fairlawn to the north. Some of

these also have aesthetically grand features.

All of these are either set back - or well screened - from the road such that views of these properties from the streetscene are limited. It is considered that the proposed dwelling due to its distance from the road and siting to the rear of an existing dwelling will similarly not be visible in the streetscene. The site also benefits from an existing access that will not be altered. Therefore, although the proposal is back land in nature, there is not considered to be any harmful change to the character or appearance of the streetscene. It is also noted that the Parish Council reached this conclusion following a visit to the site.

It is therefore considered that the proposal complies with policies D DM1 & D SP1 of the ALP and policies ES5, ES6, ES8, H4 & H6 of the BENDP.

PARKING & HIGHWAY SAFETY:

ALP policy T SP1 seeks to ensure that 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. The following extracts are considered to be key:

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

And:

"The Council will support transport and development which: Explains how the development has been designed to: (i) accommodate the efficient delivery of goods and supplies; (ii) give priority to pedestrian and cycle movements and have access to high quality public transport facilities; (iii) create safe and secure layouts for traffic, cyclists and pedestrians whilst avoiding street clutter."

Policy GA4 of the BENDP states that "Development proposals will be supported only if they include the maximum level of off-street parking consistent with the current standards under the Local Plan. Developments that reduce the amount of off-street parking currently available will only be supported if they make enforceable provision for equivalent off-street parking nearby. Parking spaces provided in connection with such proposals will be required to be made available in perpetuity."

It should also be noted that paragraph 109 of the National Planning Policy Framework states that: "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."

West Sussex Highways have carefully considered the proposal including. Although they did raise concerns as to the intensification of the access point onto Church Land and its limited visibility, they are now satisfied with the scheme on the grounds that historically, the access could have been used by a greater amount of vehicles than now proposed. They also observe that there have been no accidents at this location in the last 10 years. On this basis they do not consider that the proposal would be contrary to paragraph 109 of the NPPF.

It is considered the proposal will generate a parking demand of three parking spaces and that this can easily be met with the proposed double garage and additional hardstanding to the front of the house.

It is therefore considered that the proposal complies with policy T SP1 of the ALP and policy GA4 of the

BENDP.

RESIDENTIAL AMENITY:

Arun Local Plan 2011-2031 policy D DM1 requires that the Council have regard to certain aspects when considering new development including: (3) Impact - "Have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance."

Regard should also be had to paragraph 127 of the NPPF which states that

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

It is considered that the new dwelling will be far enough away from the mobile home to the northwest (68m) such that there will be no adverse overlooking or loss of light. This property is also currently in the ownership of the applicant so either he will retain control or if sold on, then the new occupier will be aware of the situation. Similarly, it is not considered due to the 35m distance that Tars Farmhouse will be adversely affected.

In respect of Birchwood to the south, the only window directly affected is a flank bathroom window. This is currently obscure glazed and a condition imposed on the new dwelling will ensure that the proposed bathroom window on the facing elevation will also be obscure glazed. Proposed rear windows may have oblique angle views of the neighbours garden but then the neighbouring property will have the same oblique angle views of the new dwelling's garden. Furthermore, it is considered that as Birchwood's front windows are set in from the shared boundary (with their garage in between), there will be no harmful loss of light to these windows from the new detached double garage.

Sandon lies immediately to the southeast. It is a bungalow with a rear enclosed garden and two bedroom windows which could be adversely affected by the proposed new dwelling. However, there will be a distance of 25m between the house and these two windows. This is considered to be sufficient to protect their amenity. The distance will be shorter to the neighbours rear garden but this is considered to be mitigated by their existing boundary fencing, a proposal to plant screening along this boundary (which will be enforced by condition) and the slight levels change between Sandon and the proposed dwelling. Furthermore, although the proposed garage is to be sited close to the shared boundary, there will be planting in between and the position of the garage will only affect light levels at the end of the day when the sun is at its highest. This is not considered to be detrimental.

It is therefore considered that the proposal complies with policy D DM1 of the ALP.

INTERNAL & EXTERNAL SPACE STANDARDS:

Policy D DM2 of the ALP states that:

"The planning authority will require internal spaces to be an appropriate size (having regard to the exceptions that may apply as referred to in paragraph 13.3.4) to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance."

The required internal space standard for a house of this number of bedrooms is 128m² but the proposal far exceeds this with a total internal floor area of 310m² therefore complying with policy D DM2.

Arun Local Plan 2011-2031 policy D DM1 refers to the need for compliance with the Arun Design Guide. This is to replace policy D DM3 "External Space Standards" which was deleted at the request of the Local Plan Inspector. Until such time as this Design Guide is published, there is no policy within the Arun Local Plan regarding private gardens sizes. However, regard should be had to paragraph 127 of the NPPF which requires that new development has a high standard of amenity for existing and future users. In addition, policy H5 of the BENDP states that "Proposals for new housing development should include good quality outdoor amenity space - either private gardens or a shared amenity area."

The proposal includes a large rear garden which is considered to be a private space (subject to the usual tolerances caused by neighbouring windows having oblique angle views). The proposal therefore complies with this policy.

SUMMARY:

The application site is outside the defined built-up area boundary of Barnham and Eastergate and is therefore contrary to policy C SP1 of the ALP which seeks to protect the countryside from non-related and harmful development. However, there is support for the principle of development from the Neighbourhood Development Plan and in any case, a refusal on principle should only be applied where there is also some form of harm identified.

The proposed new house is not considered to result in any harm to the character of the area, to the amenities of nearby residential properties or to the safety & convenience of the local highway. The site is also considered to be in a relatively sustainable location such that occupiers would not need to rely on a private car to access shops & services in Barnham.

The proposed development is therefore on balance considered to be acceptable in terms of the development plan when taken as a whole and is recommended for approval together with the following 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.

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:

C0117-P001A Location Plan;
 C0117-P003A Site Layout Plan 1:500;
 C0117-P001A Site Layout Plan 1:200;
 C0117-P101 Proposed Ground Floor Plan;
 C0117-P102 Proposed First Floor Plan;
 C0117-P204A Proposed South West Elevation;
 C0117-P203A Proposed North West Elevation;
 C0117-P202A Proposed North East Elevation;
 C0117-P201A Proposed South East Elevation;
 C0117-P103 Proposed Roof Plan;
 C0117-P208A Garage - Proposed South West Elevation;
 C0117-P205A Garage - Proposed South East Elevation;
 C0117-P207A Garage - Proposed North West Elevation; and
 C0117-P206A Garage - Proposed North East Elevation.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1 and T SP1 of the Arun District Local Plan 2011-31.

- 3 Development shall not commence 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, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.

No 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 DM2 and W DM3 of the Arun Council Local Plan 2011-31. 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 No development above damp proof course (DPC) level shall take place unless and until a colour schedule of materials and finishes to be used for the external walls and roofs of the proposed building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character and appearance of this semi-rural area by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan 2011-2031.

- 5 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, details of new screen planting to the boundary with Sandon. The approved landscaping shall be carried out in the first planting and seeding season, following the occupation of the building or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of residential amenity specifically maintaining the privacy of the neighbouring residential property in accordance with policy D DM1 of the Arun Local Plan 2011-2031.

- 6 The garage building shall be used only as private domestic garages for the parking of vehicles and cycles incidental to the use of the properties as a dwelling and for no other purposes.

Reason: To ensure adequate off-street provision of parking in the interests of amenity and highway safety and to provide alternative travel options to the use of the car in accordance with the NPPF and policy T SP1 of the Arun Local Plan 2011-31.

- 7 No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractor buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

Reason: To avoid undue congestion of the site and consequent obstruction to access in accordance with the NPPF and policy T SP1 of the Arun Local Plan 2011-31.

- 8 No external lighting shall be installed on the site or to the building until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The scheme should also minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats) and to minimise unnecessary light spillage outside the development site in accordance with policies QE DM2, QE SP1 and ENV DM5 of the Arun Local Plan 2011-2031.

- 9 Should any sewer be found during construction works then all development activities within 5m of the external edge of the sewer shall cease and they shall not recommence until full

details of the proposed measures to be undertaken to protect the existing public sewer have been submitted to and approved in writing by the local planning authority (in conjunction with Southern Water) and then implemented in accordance with the agreed details.

Reason: To ensure that the proposed development does not result in any damage to an existing foul sewer in accordance with policy W DM1 of the Arun Local Plan 2011-2031.

- 10 The bathroom window on the south west elevation of the building shall at all times be glazed with obscured glass

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy D DM1 of the Arun Local Plan 2011-31.

- 11 Prior to the commencement of the development hereby approved, a detailed level survey of the site including existing and resulting ground levels and the slab levels of the building the subject of this approval, shall be submitted to and approved by the Local Planning Authority. The development shall proceed only in accordance with the details thus approved and there shall be no subsequent raising of levels without prior written approval of the Local Planning Authority.

Reason: In order to safeguard the amenities of the area and neighbouring residents in accordance with policy D DM1 of the Arun Local Plan 2011-31.

- 12 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.

- 13 INFORMATIVE: Drainage Engineers advise that 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 BRE 365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm 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 event plus 30% on stored volumes, as an allowance for climate change. 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 are also available on request.

- 14 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.