

Recommendation Report for Approval of Reserved Matters Following Outline Approval

REF NO: BN/26/15/RES

LOCATION: Land North of Yapton Road and
East of Garden Crescent
Barnham

PROPOSAL: Approval of reserved matters following outline consent BN/7/12/ for 44 No. dwellings including 30% affordable, comprising of a mix of 2 & 4 bed houses with associated landscaping & works.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

These proposals follow the granting of outline planning permission (BN/7/12/) for the erection of 44 dwellings on this site. The submitted details address reserved matters for matters of appearance, landscaping, layout, scale and access. The applicant advises that consultations have been undertaken with Barnham Parish Council, senior officers at Arun District Council, West Sussex County Council and with other key stakeholders and that comments from these meetings and related correspondence have been taken into account in undertaking the technical assessments and design inputs to the application.

The proposal is for a mix of housing as follows:

Market Housing

3 X 2 Beds
18 X 3 Beds
9 X 4 Beds
Total: 30

Shared Ownership

3 X 3 Beds
2 X 4 Beds
Total: 5

Rental

6 X 2 Beds
3 X 3 Beds
Total: 9

Materials for the development have already been approved as have a number of other

matters and details, see Comments on Planning history. Materials include a mixture of good quality facing brick and roof tiles.

The proposed layout indicated in these reserved matters locates development on the northern part of the site and accommodates open space and landscaping and drainage features in the southern and west areas. This means the site of the housing is fairly regular. Existing trees are retained where possible. Development is a mixture of detached and semi detached in the main, with some limited terraces of not more than 3 to 4 dwellings. Dwellings and their gardens are generally accessible and the scheme includes cycle and bin stores for the dwellings.

Detailed design also includes some dwellings with garaging, some with on-plot parking and some on-street parking, in addition there are visitor spaces. Where possible, existing trees are to be retained and protected.

Landscape and ecological proposals seek to both mitigate impact and enhance. Development has been located within 15m of the boundary fence of the adjoining railway, as required in the Appeal decision.

SITE AREA

Approximately 3.11 hectares.

RESIDENTIAL DEVELOPMENT DENSITY

This would be approximately 14.4 dwellings per hectare for the gross site area. However, density would be higher if the areas of site which are not to be developed and are required for open space etc. are excluded and in excess of 30 DPH.

TOPOGRAPHY

Predominantly flat with slight slope from north to south across site.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The northern, eastern and southern boundaries of the site comprise predominantly mature trees and hedgerows, which essentially screen the site from adjoining land. However, there are intermittent gaps in places and there

is no effective screening between the site and the adjoining houses of Garden Crescent to the west.

Yapton Road (B2233) to the south of the site is single carriageway and subject to a 30mph speed limit. There is a footway on both sides of the road linking the site with Yapton Village Centre.

SITE CHARACTERISTICS

The site lies approximately 450 metres southeast of Barnham village centre on the northern side of Yapton Road. The houses are set back some 130 metres from Yapton Road at the end of a tree lined avenue.

The site is roughly triangular in form and comprises two areas. The main (northern) part of the site is rough open grassland, which is roughly flat. The southern part of the site enjoys dense tree cover, with evidence of the site's previous use as a tree nursery. The frontage of the site comprises a mature hedgerow.

CHARACTER OF LOCALITY

The site is on edge of the built up area boundary with existing residential properties to the south and west. Garden Crescent to the west is a residential cul de sac consisting of two storey terraced dwellings and open space. The properties to the south of the site are large detached properties set on individual plots.

RELEVANT SITE HISTORY

BN/24/99/	Outline application for demolition of existing derelict outbuildings and redevelopment of site for residential purposes (Departure from the Development Plan).	NON DET APPEAL 28-03-2000 <i>Appealed</i> Appeal: Dismissed 31 05 2000
BN/29/04/	Outline application for the demolition of existing derelict outbuildings & development of the site for residential purposes with associated access and landscaping (This application is a Departure from the Development Plan & is the subject of an Environmental Impact Assessment)	Refused 14-04-2005 <i>Appealed</i> Appeal: Withdrawn 18 05 2006

BN/7/12/	Outline application with some matters reserved for up to 44 no. dwellings including 30% affordable, comprising of a mix of 2-4 bed houses with associated landscaping & works (this application is a Departure from the Development Plan)	Refused 28-06-2012	<i>Appealed</i> Appeal: Allowed+Conditions 23 01 2013
BN/15/12/	Outline Application with Some Matters Reserved for up to 44 dwellings including 30% affordable, comprising a mix of accommodation, ranging from 2 - 4 bedroom houses with associated landscaping and works. (Resubmission following BN/7/12). Departure from the Development Plan.	Refused 19-09-2012	
BN/27/15/DOC	Application for approval of matters reserved by condition imposed under BN/7/12 relating to Conditions 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, & 17 - SUDS, construction of external surfaces, scheme for protection of trees, boundary treatments, landscape management plan, boundary fence, archaeological work, provision of decentralised & renewable or low-carbon energy, ecological mitigation & management measures, details of public open space & amenity & measures to prevent vehicles from carrying mud onto the public highway during demolition & construction.	DOC Part Approved 18-09-2015	
BN/4/49	Glasshouse	Approve 30-08-1949	
BN/5/57	Outline for residential development	Refused 20-11-1957	

BN/7/12/ was allowed on Appeal.

The main issue was whether the proposed development was acceptable in principle, having regard to the development plan and other material considerations, including the National Planning Policy Framework (the Framework) and housing land supply.

The Inspector concluded that appeal site was within the countryside and the proposal was contrary to Policies GEN2 and GEN3 of the Arun District Local Plan. However, as the Council could not demonstrate a 5 year supply of deliverable housing sites, the National Planning Policy Framework advised that these policies should not be considered up-to-date. The presumption in favour of sustainable development set out in paragraph 14 of the Framework applied. The scheme had the benefits of making a useful contribution to the supply of housing, including affordable housing, in a sustainable location. Whilst the proposal resulted in the encroachment of built development into the countryside, it did not result in material harm to the character and appearance of the area or to the setting of Barnham. The Inspector concluded that there were not any other factors which weigh against the appeal and that the factors weighing in support of the appeal were sufficient to outweigh the loss of countryside that would result. The appeal was

therefore allowed.

Apart from general conditions in respect of development, the Inspector also imposed a condition that no part of any dwelling shall be located within 15m of the boundary fence of the adjoining railway. This was to prevent detriment from noise and vibration.

An application BN/27/15/DOC to discharge conditions has been made and the following conditions have been discharged:

4. Sustainable Urban Drainage Systems(s)
5. Materials
6. Tree Protection
7. Boundary Treatments
8. Landscape Management
9. No Development Within 15m of the Boundary Fence of the Adjoining Railway
10. Programme of Archaeological Work
11. Scheme for Low Carbon Energy, Minimum 10% of Development Energy Supply
13. Ecological Mitigation & Management
14. Public open Space & Amenity Areas
17. Measures to Prevent Carriage of Mud onto Public Highway

REPRESENTATIONS

Representations received:

Barnham Parish Council

Barnham Parish Council has considered the application 'and it has been agreed to raise no objection to this already approved development'.

West Sussex Wildlife Protection objects on the grounds that 'the entire area is already built up and pressure is constantly being put onto roads in that area and 44 dwellings will give rise to 88 cars. This is not environmentally friendly at all and not fair to local people who treat Barnham as a village. We are further concerned about the wildlife habitat on such a large piece of land and would demand that a further wildlife survey be done before planning approval.

Comments on Representations received:

West Sussex Wildlife Protections objection has been previously addressed in the outline application and the appeal. In addition, consultees in respect of ecology and highways have not objected. It is not therefore considered that the grounds of objection set out are sustainable.

CONSULTATIONS

Southern Water Planning
Engineering Services Manager
Engineers (Fluvial Flooding)
Health & Safety Executive
Highways England
WSCC Strategic Planning
Environment Agency
Surface Water Drainage Team
Environmental Health
Parks and Landscapes

Economic Regeneration
Planning and Housing Strategy
Sussex Police-Community Safety
Engineers (structural)
Natural England
Arboriculturist
NHS Coastal West Sussex CCG

Consultations responses received:

Natural England raises no objection has no comments to make regarding this application.

Environment Agency has no objection to the reserved matters application as proposed.

The Councils Housing Strategy & Enabling Officer confirms that the details of the proposed development meet the Councils Affordable Housing Policy requirements.

Arun District Council Greenspace comments:

Further to submission of application BN/26/15/RES we have viewed the documentation submitted and can advise that the scheme proposed is comprehensive, detailed and suitable for situation having a varied and appropriate mix proposed with a good palate of both evergreen, deciduous and herbaceous material. The trees proposed are sufficient in height to provide instant impact whilst still being an appropriate size to aid establishment. The plans detail existing trees and habitats and the measures proposed for their retention, protection and enhancement. We would therefore advise that we would recommend the approval of reserved matters.

The Councils Structural Engineers have no comments of structural nature.

Highways England advises that:

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the Strategic Road Network (SRN). Having considered the proposals Highways England have concluded that they have no objections.

Environmental Health comment has considered the proposals and has no objection.

Southern Water (SW) has advised that the developer is in consultation with SW in respect of a Section 98 agreement (Sewer Requisition) in order to provide sufficient capacity to service the development. An application under Section 106 (connection) under the Water Industry Act must be submitted to and approved by SW.

Construction and development must not commence until details of the proposed means of foul and surface water disposal have been submitted to and approved by the Local Planning Authority in consultation with Southern Water.

No new soakaways, swales, ponds, watercourses or other surface water retaining or conveying features should be located within 5m of a public gravity sewer.

The Councils Drainage Engineer raises no objection and advises that surface water drainage details are being dealt with by conditions.

The Councils Tree Officer raises no objections to now revised landscape and tree details and comments:

- The application has correctly identified the method of protection for the retained RPA areas. The applicant has also correctly identified the need to implement a temporary access road that will mitigate any potential compaction to the ground within the established woodland area.
- From the site inspection it is apparent that the northern most aspect TL15 is in a poor overall condition, and does require a remedial pruning to increase the expected retention span (due to clear evidence of systemic failures occurring to the lateral spread). The applicants stated desire to re-pollard TL15 is likely to reduce the chance of further failures occurring.
- I would have no objection to the categorisation the applicant has used for the existing tree stock. I would also have no objection to the removal of the 11 individuals (and partial removal of TG45). The loss of these trees however does require mitigation planting and restocking. The applicant has outlined a proposed planting scheme which would see the site populated with at least 68 newly planted trees. This repopulation should outweigh the proposed loss of 11 individuals.

Recommendation:

- As the applicant has met the criteria as specified by the BS 5837:2012 Trees in relation to design, demolition and construction I have no objection to the submitted application.
- The following conditions are to be adhered to when completing the proposed development operation:

Conditions:

- The proposed planting plan of the planting of at least 68 standard/ heavy standards must be adhered to, as to mitigate the loss of the outlined 11 standards and partial removal of TG45.
- Once the static protective fencing has and or no-dig construction method has been erected (as outlined in section 3.3/3.5 of the application), the Local planning authority arboricultural officer must be contacted to ensure the fencing is correctly placed. This fencing must be erected and kept in place for the duration of the development works. Any need for construction access into RPA areas must be facilitated with a ground protection zone (made up from a heavy duty geotextile Membrane that is suitable for the weight of the machine which requires access).
- When excavating for the new developments foundations any root structure exposed with a

diameter over 25 mm should be retained. If the operators wish to remove roots of over 25mm in diameter, then the LPA arboricultural officer must be informed to supervise any root pruning/removal. Any exposed root/s is to be wrapped in dry Hessian wrapping to avoid drying.

- Any use of a trenchless pipework system should be used at a depth of at least 750 mm, as to reduce impacts on established root systems. Also entry and retrieval points for the trenchless system should be made outside the RPA of the given trees.

All proposed pruning works must adhere to the following conditions:

Crown Reduction

All side branches to be retained should be at least 1/3rd in diameter of the removed branch. Pruning cuts must be flat and smooth, kept as small as possible by cutting at an optimum angle and should not exceed 100mm in diameter.

REASON: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice.

Crown Clean

The Crown Clean should consist of deadwood and stub removal where all cuts should be made to the branch collar. Where crossing branches are encountered the weaker branch/branches should be reduced or removed to avoid contact between them. The remaining branch/branches should be shortened as appropriate to relieve 'end weight' and sudden exposure by reducing the leaf bearing branch tips by no more than 30%.

REASON: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice.

Crown Lift

- Branches found within the clearance height having diameters greater than 100mm should be shortened and no more than 15% of the leaf bearing growth of that branch should be removed to facilitate the unobstructed free passage of vehicles and pedestrians.

REASON: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice.

WSCC Highways raises no objections to now revised details relating to highways and comments:

WSCC have been consulted on the above application as the Local Highway Authority (LHA). No highways objection was raised to the outline scheme, which was refused by Arun District Council on other grounds and subsequently permitted at appeal (ADC ref. BN/7/12).

On the basis that the internal roads are to be kept private, no objection is raised. Should the Applicant seek to offer internal roads for adoption as part of the public highway further information would be sought to demonstrate suitability.

Access

The access arrangement for the site was agreed as part of the outline application. The appeal decision included two conditions requiring the access and visibility splays to be constructed in

accordance with plan ITB7022-SK-007 Rev C.

This plan showed the maximum achievable visibility splays, and the applicant has since expressed a desire to alter these details to reduce the amount of vegetation clearance and maintenance liability. In this respect, the applicant's transport consultants have been in pre-application discussions with the LHA. In order to determine the required visibility splays, the speed data collected as part of the outline planning application has been re-used. The 85th percentile speeds were measured at 38.4mph eastbound and 38.3mph westbound. Suitable visibility splays of 62m and 61m respectively have been agreed to a 1m offset and are as shown on drawing ITB10358-GA-005 Rev E.

Roundels and coloured surfacing have been shown on the access drawing. These are not considered necessary to facilitate safe access as the visibility required for the recorded 85th percentile speeds can be achieved. Further consideration of their provision should be considered through the Section 278 process in consultation with WSCC Asset Management.

The proposed site access road has been reduced from 6m width to 5.5m to accord with guidance contained within Manual for Streets and the kerb radii has been reduced from 8m to 6m. Drawing ITB10358-GA-008 Rev B shows that two cars can concurrently arrive and leave and this is therefore acceptable.

The outline application proposed localised road widening of Yapton Road to accommodate the site access for the Angel's Nursery development, however it has since been agreed that this is not required as 3.0m lane widths can be maintained without this widening.

The previous access arrangement included 2m footways on either side of the access road. However, this will now only be provided on the eastern side to accommodate pedestrian movements to/from the east. Movements to/from the west will be catered for with a 3m footway/cycleway link to the west of the site connecting to Crescent Gardens. This is considered to be acceptable; the existing condition should be amended to reflect the new plan reference and alteration to the visibility splay distances.

Internal Site Details

It is unclear as to whether the internal roads are to be offered for adoption and it is assumed that they are to remain private. However, should the Applicant seek to offer the internal roads for adoption it is recommended that additional information is submitted to establish the extent of the adoption and demonstrate that it meets adoptable standards. If the estate roads are to be kept private a management company should be set up to ensure satisfactory future maintenance.

A segregated footway has been provided alongside the access road; given the absence of frontage building along this stretch of road this arrangement is considered appropriate as vehicular speeds are likely to be higher than those within the main part of the development itself.

Within the main part of the development a shared use arrangement has been proposed which accords with Manual for Streets parameters including carriageway widths of between 4.8m and 5.5m and designated parking spaces, including the provision of bays adjacent to the carriageway for resident and visitor parking.

Vehicle tracking has not been provided to demonstrate that a large vehicle can navigate the internal layout. The LHA have assessed using standard large vehicle specifications and the layout would appear satisfactory to facilitate large vehicle movement. It is recommended that the Waste Collection Authority are consulted to establish whether they are satisfied with servicing arrangements.

It is recommended that landscaping adjacent to the carriageway, particularly at junctions and on the bend on the access road is set back a minimum of 2m from the edge of the carriageway to provide a service margin and maintain visibility. Any landscaping directly adjacent to the carriageway should be kept below a height of 600mm to maintain visibility.

Comments on Consultation responses:

Southern Water comments can be addressed by conditions.

Council Tree officers can be addressed by conditions.

WSCC Highways comment that landscaping adjacent to the carriageway particularly at junctions and on the bend on the access road should be set back a minimum of 2m from the edge of the carriageway would mean that within the development and on the approaches landscaping would not be provided in areas where it is most desirable in terms of integration with the layout and softening the appearance/providing a good standard of amenity to resident. Such an 'engineered' approach would not be desirable nor in the best interests of achieving a high quality of scheme. It is not considered that a 2m setback should be pursued therefore.

It is not known at this time whether it is the intention of the developer to offer the internal roads for adoption and this aspect is not material to the consideration of this current application.

The Environmental Health Officer is satisfied that the design and location of the proposed dwellings as acceptable in terms of mitigating potential impact from the railway to the north.

POLICY CONTEXT

Designation applicable to site:

Outside Built Up Area

Class B Road

Tree Preservation Order

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#)

GEN2

GEN3

GEN7

GEN8

GEN9

GEN11

GEN14

GEN15

GEN20

GEN28

GEN29

Built-up Area Boundary

Protection of the Countryside

The Form of New Development

Development and the Provision of
Infrastructure

Foul and Surface Water Drainage

Inland Flooding

Public Transport

Cycling and Walking

Provision of Public Open Space within New
Development

Trees and Woodlands

Nature and Conservation Across the
District

GEN32

Publication Version of the Local
Plan (October 2014):

Noise Pollution
SD SP1 Sustainable Development
SD SP2 Built-Up Area Boundary
H SP1 Strategic housing, parish and town
council allocations
H SP2 Affordable Housing
D DM1 Aspects of Form and Design
Quality
D SP1 Design
OSR DM1 Open Space, Sport and
Recreation
QE DM1 Noise Pollution
W DM2 Flood Risk
W DM3 Sustainable Urban Drainage
Systems
W SP1 Water
T SP1 Transport and Development
Applications for new development must meet
the local drainage
requirements
Quality of design
Contribution to local character
Buildings should be designed to reflect the
three-dimensional
qualities of traditional buildings
Trees and hedgerows
Energy efficiency of new development
Connection to sustainable transport
Footpath and cycle path network
Parking and new development
Housing mix
Integration of new housing into surroundings
Outdoor space
Attention to detail
Drainage for new housing

Barnham & Eastergate Neighbourhood Plan 2014
POLICY ES1

Barnham & Eastergate Neighbourhood Plan 2014
POLICY ES5

Barnham & Eastergate Neighbourhood Plan 2014
POLICY ES6

Barnham & Eastergate Neighbourhood Plan 2014
POLICY ES8

Barnham & Eastergate Neighbourhood Plan 2014
POLICY ES10

Barnham & Eastergate Neighbourhood Plan 2014
POLICY ES11

Barnham & Eastergate Neighbourhood Plan 2014
POLICY GA1

Barnham & Eastergate Neighbourhood Plan 2014
POLICY GA2

Barnham & Eastergate Neighbourhood Plan 2014
POLICY GA4

Barnham & Eastergate Neighbourhood Plan 2014
POLICY H3

Barnham & Eastergate Neighbourhood Plan 2014
POLICY H4

Barnham & Eastergate Neighbourhood Plan 2014
POLICY H5

Barnham & Eastergate Neighbourhood Plan 2014
POLICY H6

Barnham & Eastergate Neighbourhood Plan 2014
POLICY H7

NPPF
NPPG

National Planning Policy Framework
National Planning Practice Guidance

POLICY COMMENTARY

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

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

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. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

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

Barnham and Eastergate has a Made Neighbourhood Plan This means that Branham & Eastergate Neighbourhood Development Plan has been brought into legal force and forms part of the statutory plan for Branham & Eastergate. Consequently, decisions on whether or not to grant planning permission in this area will also need to be made in accordance with the Branham & Eastergate Neighbourhood Development Plan, unless material considerations indicate otherwise.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area. The development would also not result in adverse impacts on ecology, trees, surface or foul water drainage or on highway safety.

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

PRINCIPAL

The principal of the development of this site has been established in the decision on the Appeal. There can therefore be no objection in terms of the location of the site outside of the built up area. The key issues are ones of detail and relate to the layout and design in the main. Other considerations include the housing and in the affordable housing mix.

ASSESSMENT

It should be noted that the applicants have amended the scheme during the process of the application and it is the revised proposal that is being considered. The amendments to the scheme involved the redesign of the layout of the proposed eastern end of the site. The report below addresses the principal set out below.

USE AND AMOUNT OF DEVELOPMENT

The site has outline planning permission for up to 44 homes. This application proposes 44 dwellings which equates to approximately 33 dwellings per hectare. 14 of the dwellings are affordable. The proposed housing mix on the site is:

Market Housing

3 X 2 Beds

18 X 3 Beds

9 X 4 Beds

Total: 30

Shared Ownership

3 X 3 Beds

2 X 4 Beds

Total: 5

Rental

6 X 2 Beds

3 X 3 Beds

Total: 9

The proposed housing provision is in accordance with the Councils requirements and the Planning Obligation. The Councils Housing Strategy & Delivery Manager has raised no objection and considers the proposed quantum and location of the affordable housing to be suitable.

SCALE AND BUILDING HEIGHTS

The surrounding dwellings to this site are predominantly two storeys. The applicants have proposed to provide two storey dwellings throughout the scheme. The dwellings will be provided in detached, semi-detached and terraced forms. The pre-dominance of two storey dwellings on this site is in keeping with the character of the surrounding area and ensures that the development reflects the surrounding built form.

SITE LAYOUT AND CHARACTER

The layout has been designed in a manner which provides for development on the northern part of the site. This will mean that it is to the west of and adjoining existing development and partially to the rear of Yapton Road dwellings. It will therefore be well related to existing development. The location of open space and drainage, etc. in the southern and western parts of the site will mitigate impact on both amenity and the appearance of the area.

The main access route is characterised initially by an open appearance through the undeveloped area of the site and the development will be approached through what will be a pleasant landscaped corridor. The layout includes feature buildings and key points of prominence and utilises some shared surfaces. Clearly the development will have a more urban form, but the design and materials, including tile hanging and flint elements in places, does reflect elements of the local vernacular. It is also fair to conclude that the development as proposed represents a much more sympathetic design form than the more urban and denser form in Garden Crescent to the west.

Layout will provide for supervision of the open space and this space is laid in informally to form a pleasant amenity for the development as well as to accommodate the drainage and others needs of the development.

The scheme is generally organised into a mixture short terraces, semi-detached dwellings and detached dwellings with open frontages that face on to the public realm and at the rear provide generally secure private gardens, which are also accessible. It is considered that the layout of the scheme is well considered and ordered. The layout creates a distinctive form of development that responds well to its environment. It is considered that the layout reflects the guidance in the NPPF, in respect of the need to create a high standard of environment for residents, which is also reflected in the requirements of the Adopted and Emerging Local Plans and that the proposed development should be supported.

DESIGN AND FORM OF BUILDINGS

The proposed building designs and use of materials are considered to sympathetically respond to village location and the character and quality which ought to be aspired to and delivered. They represent an improvement on the quality of nearby recent development. They will give the development its own distinctive character, whilst at the same time reflecting the local vernacular.

The applicants have proposed a series of dwelling types of mixed design and materials. Key street frontages and prominent locations have been carefully and satisfactorily addressed.

The buildings will have traditional elements of roof forms, with punctuating design details which reflect the local vernacular. A consistent pallet of materials utilised which will result in a consistent character overall.

The proposed street scenes demonstrate a variety of housing types and finishes. This creates interest and presents an organic feel to the proposed dwellings.

In conclusion it is considered that the scheme demonstrates the sensitive and acceptable approach to design.

EMERGING DWELLING SPACE STANDARDS

The Councils emerging internal space standards are under review. House types do however comply with National Space Standards.

In terms of the emerging external space standards private gardens all meet the minimum required depth of 10 metres so provide sufficient and suitable private outdoor amenity space. Larger dwellings generally have larger back gardens throughout the site. Garden areas are satisfactory.

PARKING AND HIGHWAY ISSUES

The proposed layout shows adequate parking to meet the needs of the proposed dwellings of which a proportion will be provided in the form of garages. Visitor's parking spaces have also been provided throughout the development.

There is no objection to the proposal or to the level of parking provision or the detailed design of the access from West Sussex County Council and the application is considered to be acceptable.

LANDSCAPING

Applicants have submitted a landscape scheme, management plan details of tree protection. This was considered by the Councils Greenspace and no objections have been raised. In respect of existing trees, these are retained and protected where possible and the proposed new planting within the development is to be considerable and will provide for a very satisfactory residential environment.

ECOLOGY

The applicants have submitted mitigation in respect ecology and no objection has been raised. Where possible existing trees and habitats have been protected and the measures proposed for their retention, protection and enhancement. The proposal is therefore considered acceptable in terms of ecology.

DRAINAGE

Drainage proposal are acceptable and consultees have not raised objection. The integration of drainage measures into the open space and the associate opportunities this will provide in terms of ecological enhancement are to be welcomed.

CONCLUSION

The proposed reserved matters submission satisfactorily addresses the outstanding matters to which this application relates and in most cases puts forward proposals which exceed 'minimum' acceptable standards. It is considered that the development proposed will result in the introduction of a development of high quality which also seeks as far as possible to integrate itself with the

settlement and reflects the local vernacular.

It is therefore recommended that the application is permitted subject to 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 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

In assessing this proposal the Neutral 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).

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

- 1 The development hereby approved shall be carried out in accordance with the following approved drawings and details:

Drawing Number 1505/2:09 - Location Plan - Dated June 2015
Drawing Number 1505/2:10 - Site Plan - Dated March 2015
Drawing Number 1505/2:36 - Site Sections 1-1 & 2-2 - Dated June 2015
Drawing Number 1505/2:37 - Cycle Store, 2 Cycles - Dated June 2015
Drawing Number 1505/2:35 - Elevations, Sheet 20 of 20 - Dated May 2015
Drawing Number 1505/2:34 - Elevations, Sheet 19 of 20 - Dated May 2015
Drawing Number 1505/2:33 - Elevations, Sheet 18 of 20 - Dated May 2015
Drawing Number 1505/2:32 - Elevations, Sheet 17 of 20 - Dated May 2015
Drawing Number 1505/2:31 - Elevations, Sheet 16 of 20 - Dated May 2015
Drawing Number 1505/2:30/Rev A - Elevations, Sheet 15 of 20 - Dated July 2015
Drawing Number 1505/2:29 - Elevations, Sheet 14 of 20 - Dated May 2015
Drawing Number 1505/2:28 - Elevations, Sheet 13 of 20 - Dated May 2015
Drawing Number 1505/2:27 - Elevations, Sheet 12 of 20 - Dated May 2015
Drawing Number 1505/2:26/Rev A - Elevations, Sheet 11 of 20 - Dated July 2015
Drawing Number 1505/2:25 - Elevations, Sheet 10 of 20 - Dated May 2015
Drawing Number 1505/2:24 - Elevations, Sheet 9 of 20 - Dated May 2015

Drawing Number 1505/2:23 - Elevations, Sheet 8 of 20 - Dated May 2015
Drawing Number 1505/2:22 - Elevations, Sheet 7 of 20 - Dated May 2015
Drawing Number 1505/2:21 - Elevations, Sheet 6 of 20 - Dated May 2015
Drawing Number 1505/2:20 - Elevations, Sheet 5 of 20 - Dated May 2015
Drawing Number 1505/2:19 - Elevations, Sheet 4 of 20 - Dated May 2015
Drawing Number 1505/2:18 - Elevations, Sheet 3 of 20 - Dated May 2015
Drawing Number 1505/2:17 - Elevations, Sheet 2 of 20 - Dated May 2015
Drawing Number 1505/2:16 - Elevations, Sheet 1 of 20 - Dated May 2015
Drawing Number 1505/2:15 - Floor Plans, Sheet 5 of 5 - Dated March 2015
Drawing Number 1505/2:14 - Floor Plans, Sheet 4 of 5 - Dated March 2015
Drawing Number 1505/2:13/ rev A - Floor Plans, Sheet 3 of 5 - Dated July 2015
Drawing Number 1505/2:12 - Floor Plans, Sheet 2 of 5 - Dated March 2015
Drawing Number 1505/2:11 - Floor Plans, Sheet 1 of 5 - Dated March 2015
Illustrative Street Elevations - Street Scenes B-B & D-D - Undated, Received with Application
Illustrative Street Elevations - Street Scenes C-C & C-C - Undated, Received with Application
Illustrative Street Elevations - Street Scenes A-A & A-A - Undated, Received with Application
Drawing Number LLD833/10 - Detailed Planting Plans - Dated 19.06.15
Drawing Number LLD833/09 - Detailed Planting Plans - Dated 19.06.15
Drawing Number LLD833/08 - Detailed Planting Plans - Dated 19.06.15
Drawing Number LLD833/07 - Detailed Planting Plans - Dated 19.06.15
Drawing Number LLD833/06 - Detailed Planting Plans - Dated 19.06.15
Drawing Number LDD833/04/Rev 02 - Soft Landscape Layout - Dated 25.06.15
Drawing Number LDD833/03 Rev 04 - Landscape Masterplan - Dated 25.06.15
Drawing Number LDD833/02/Rev 04 - Tree Retention & Protection - Dated 24.06.15
Drawing Number LDD833/01/Rev 03 - Tree Constraints Drawing - Dated 12.06.15
Arboricultural Impact Assessment & Tree Protection Method Statement - Dated 23.06.15.
Tree Retention & Protection Plan, Existing Tree Schedule - Dated 23 June 2015
Drawing Number ENC/240315/559, 1 of 3 - Topographical Survey - Dated March 2015
Drawing Number ENC/240315/559, 2 of 3 - Topographical Survey - Dated March 2015
Drawing Number ENC/240315/559, 3 of 3 - Topographical Survey - Dated March 2015
Drawing Number ITB10358-GA-005 - Visibility Splays - Dated April 2015
Technical Note, Transport Statement - Dated 24 June 2015

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

- 2 The dwellings shall not be occupied until the parking spaces, turning facilities and garages shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking, turning and garaging of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in accordance with GEN7 of the Adopted Arun District Local Plan

- 3 The development shall not commence until full details of the proposed foul and surface water drainage disposal scheme have been submitted to and approved in writing by the Local Planning Authority. (Including details of its routing, design, and subsequent management/maintenance).

No building shall be occupied until the foul and surface water drainage disposal scheme has been implemented in accordance with the approved details and the details so approved shall be retained in good working order in perpetuity.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

- 4 The proposed planting plan of the planting of at least 68 standard/ heavy standards must be adhered to, as to mitigate the loss of the outlined 11 standards and partial removal of TG45.

All tree planting comprised in the approved details shall be carried out not later than the first planting season following the occupation the dwellings and any trees or plants which within a period of 5 years from the completion of the 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: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Adopted Arun District Local Plan.

- 5 Once the static protective fencing has been erected (as outlined in section 3.3/3.5 of the application), the Local planning authority arboricultural officer must be contacted to ensure the fencing is correctly placed. This fencing must be erected and kept in place for the duration of the development works. Any need for construction access into RPA areas must be facilitated with a ground protection zone (made up from a heavy duty geotextile Membrane that is suitable for the weight of the machine which requires access).

REASON: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice and in the interests of amenity and the environment in accordance with policy GEN7 of the Adopted Arun District Local Plan.

- 6 When excavating for the new developments foundations any root structure exposed with a diameter over 25 mm should be retained. If the operators wish to remove roots of over 25mm in diameter, then the LPA arboricultural officer must be informed to supervise any root pruning/removal. Any exposed root/s is to be wrapped in dry Hessian wrapping to avoid drying.

REASON: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice and in the interests of amenity and the environment in accordance with policy GEN7 of the Adopted Arun District Local Plan.

- 7 Any use of a trenchless pipework system should be used at a depth of at least 750 mm, as to reduce impacts on established root systems. Also entry and retrieval points for the trenchless system should be made outside the RPA of the given trees.

REASON: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice and in the interests of amenity and the environment in accordance with policy GEN7 of the Adopted Arun District Local Plan.

- 8 In respect of Crown Reduction all side branches to be retained must be at least 1/3rd in diameter of the removed branch. Pruning cuts must be flat and smooth, kept as small as possible by cutting at an optimum angle and must not exceed 100mm in diameter.

REASON: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice and in the interests of amenity and the environment in accordance with policy GEN7 of the Adopted Arun District Local Plan.

- 9 Crown Cleaning must consist of deadwood and stub removal where all cuts must be made to the branch collar. Where crossing branches are encountered the weaker branch/branches must be reduced or removed to avoid contact between them. The remaining branch/branches must be shortened as appropriate to relieve 'end weight' and sudden exposure by reducing the leaf bearing branch tips by no more than 30%.

REASON: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice and in the interests of amenity and the environment in accordance with policy GEN7 of the Adopted Arun District Local Plan.

- 10 In respect of Crown Lifting all branches found within the clearance height having diameters greater than 100mm should be shortened and no more than 15% of the leaf bearing growth of that branch should be removed to facilitate the unobstructed free passage of vehicles and pedestrians.

REASON: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice and in the interests of amenity and the environment in accordance with policy GEN7 of the Adopted Arun District Local Plan.

- 11 The dwellings shall not be occupied until the parking spaces and turning facilities and garages shown on the submitted plans have been provided and constructed. The parking spaces and turning facilities and garages so provided shall not thereafter be used for any purpose other than the parking, turning and garaging of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policies GEN7 and GEN12 of the Adopted Arun District Local Plan.

- 12 Notwithstanding the provisions of Class A, A.1, (g) 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 larger rear extensions to the dwelling houses shall be erected within the curtilage of the dwellings 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 GEN7 of the Adopted Arun District Local Plan.

- 13 INFORMATIVE: The applicant is advised that due to the proximity of the development

and works to the railway line adjoining the northern site boundary, Network Rail must be consulted in respect of works likely to affect the permanent way before carrying out such works.

Network Rail can be contacted as follows:

Network rail
1 Eversholt Street
London
NW1 2DN

- 14 INFORMATIVE: Southern Water (SW) has advised that no new soakaways, swales, ponds, watercourses or other surface water retaining or conveying features should be located within 5m of a public gravity sewer. SW has further advised that no new development or tree planting should be carried out within 3 metres of protected infrastructure.
- 15 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.
- 16 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 0845 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.
- 17 INFORMATIVE: This decision has been granted in conjunction with a Section 106 Legal Agreement completed in in relation to the outline planning permission (BN/7/12/) to which this application relates and making provision for the delivery of:

Affordable Housing on Site
Local Areas for Play Contribution
NHS Contribution
Fire & Rescue Contribution
Fire Hydrant(s)
Library Contribution
Index Linking
Legal Costs
Monitoring Costs

All as set out in the completed and sealed Agreement dated 07 January 2013.

- 18 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.