Recommendation Report for Planning Permission

REF NO: BN/33/26/PL

LOCATION: Land South of The Hollies
84 Barnham Road
Eastergate
PO22 0ES

PROPOSAL: Construction of 2 No C2 (residential institution) dwellings and associated works (resubmission following BN/125/25/PL). This application may affect the setting of a listed building and is in CIL Zone 2 and is CIL Liable as new dwellings.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct two dwellings (C2) along with parking. These will be used as care homes for children.
TREES	The site is subject to two TPO's which cover 1No. Copper Beech (T1) tree to the southern boundary and 1No. Common Ash (T2) tree to the eastern boundary
BOUNDARY TREATMENT	Close boarded fencing to the rear and western boundary, in combination with white rendered brick walls approximately 1.8m - 2m in height.
SITE CHARACTERISTICS	The site is in an Area of Character in the centre of Barnham and the property immediately to the south is a Grade II listed building. The site contains a former care home - a two-storey building with a multi-pitched hipped roof, and a single-storey rear addition which extends from the eastern elevation. It sits to the rear of the plot with lawn to the front. The plot is large and heavily treed to the eastern boundary forward of the building on site.
CHARACTER OF LOCALITY	The surrounding area to the west, north and east is residential with services and retail uses along Barnham Road to the south and Barnham Railway Station on the other side of the road to the west. The Area of Character description notes the "collection of Edwardian style dwellings (which) enhances the area substantially, reflecting the growth of the settlement after the completion of the railway junction.

RELEVANT SITE HISTORY

BN/125/25/PL	Construction of 2 No. dwellings (C2 Residential Institutions), in association with the Hollies, and associated works. This application affects the setting of a listed building and is in CIL Zone 2 and is CIL Liable as new dwellings.	Refused 12-02-26

BN/78/25/PL	Conversion of former care home to 2 No dwellings and associated works. This application may affect the setting of a listed building and is in CIL Zone 2 and is CIL Liable as new dwellings.	ApproveConditionally 15-08-25

REPRESENTATIONS

Barnham and Eastergate provided no objection.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADC Ecology - No objection subject to conditions.

ADC Engineers - No objection subject to conditions. Full comments can be viewed online against the planning reference.

ADC Tree Officer - Object. The location of attenuation tanks at the rear of both plots abuts the root protection area (RPA) of T8 Ash. The proximity of proposed dwelling at plot 2 to the existing crown of T8 could easily be perceived as nuisance. The above areas of conflict should be 'designed out' and a more sympathetic layout proposed to better accommodate T8 ash, the subject of a tree preservation order. This could be overcome if there is willingness to revise plot layout so that T8 can achieve its full potential and persist as a valuable asset to any development, rather than be partially obscured and potentially blight the property (plot 2) and invite future applications for hard pruning.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. A revised layout was submitted and this moves the dwellings away from T8 by approximately 1.5m. The drainage attenuation tanks were also relocated to the southern plot to avoid the RPA of the TPO tree. The tree officer was reconsulted and emails sent on the 27/5 and 24/6 although no further response was received.

POLICY CONTEXT

Built up area boundary.
Area of Character
Near Grade II Listed Building

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
ECCSP1	ECC SP1 Adapting to Climate Change
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
HDM2	H DM2 Independent living and care homes
HERDM4	HER DM4 Areas of Character
HERSP1	HER SP1 The Historic Environment
QESP1	QE SP1 Quality of the Environment
SDSP2	SD SP2 Built-up Area Boundary
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

Barnham and Eastergate Neighbourhood Plan 2019 POLICY ES15 Green Infrastructure and Ecosystem Services

Barnham and Eastergate Neighbourhood Plan 2019 POLICY ES1b Reducing Flood Risk

Barnham and Eastergate Neighbourhood Plan 2019 POLICY ES7 Conserving and enhancing Non-designated Heritage Assets

Barnham and Eastergate Neighbourhood Plan 2019 POLICY GA4 Parking and new development

Barnham and Eastergate Neighbourhood Plan 2019 POLICY H2 Windfall sites

Barnham and Eastergate Neighbourhood Plan 2019 POLICY H8 Settlement boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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 does not result in adverse harm upon the character of the area or upon neighbouring residential amenity. It also has no harm upon heritage assets, drainage, trees or parking.

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

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

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

BIODIVERSITY NET GAIN

This application is liable for Biodiversity Net Gain (BNG)
- 10.69% in habitat units.
- 86% increase in hedgerow units.

CONCLUSIONS

PRINCIPLE
The site is located within the Built-Up Area Boundary (BUAB), as defined by policy SD SP2 of the Arun Local Plan (ALP) and policy H8 of the Barnham and Eastergate Neighbourhood Development Plan (BENDP2), where the principle of residential development is supported.

Policy H2 of the BENDP2 allows for windfall sites where these are in the BUAB and subject to other criteria.

It is a sustainable site, within the BUAB and the principle of development is supported, subject to consideration against other policies within the Development Plan. Notwithstanding this, it is acknowledged that the Council cannot demonstrate a 5-year housing land supply (3.23 years) and weight would be afforded to the fact that the development would make a small contribution to the Council's identified housing need.

INDEPENDENT CARE HOME
ALP policy H DM2 permits new independent living and care homes where it complies with the below criteria.

a. The scheme is located within the built up area boundary if it is a new facility;
- The site is within the built-up area boundary.
b. The scheme shall be easily accessible either by foot or public transport, to community and social facilities e.g. shops, post offices, healthcare, community facilities;

- The site is within walking distance to Barnham Railway Station and its local shops/services.
c. The design of the scheme shall be such that it can be easily adapted to the varying needs of the users of the scheme;
- The layout appears suitable for varying users. 3 of the bedrooms have their own bathroom and the ground floor plan appears to be accommodating for wheelchairs.
d. The design and scale of the scheme shall be appropriate to the local context;
- The property is in keeping in scale with neighbouring properties.
e. Amenity space shall be provided;
- The properties have their own private amenity space and garden is retained for the neighbouring care home on site at 'The Hollies'.
f. Overall, the scheme should be located where it would support and encourage the continuation of a healthy, active lifestyle;
- The location is suitable and discussed further below.

The properties are proposed for use as children's care home. Each home would provide facilities for staff to live on site to support a maximum of three children between the ages of 6 to 18 years. There is a bedroom proposed for each child and for a staff member to sleep overnight, while a further staff member is awake and on duty. There would be two staff members at the home for day/evening, working on a 2 days on, 4 days off shift pattern and a house manager who would arrive for regular working hours of 9am-5pm.

The use of the properties for the purpose of care would be in keeping with the wider site which has an existing care home.

The proposal would comply with ALP policy H DM2.

DESIGN AND VISUAL AMENITY
Para 135 of the NPPF details design requirements for new developments. ALP policy D DM1 considers aspects of form and design quality. Policy D SP1 of the ALP requires that development proposals make efficient use of land but reflect the characteristics of the site and local area.

Policy ES5 of the BENDP2 refers to design quality and reflects the context and type of landscape where development is located.

The Arun Design Guide (ADG) provides detailed guidance that will help raise design standards. Section P refers to infill development and states that the scheme should emulate the established pattern of building height, scale, plot width, boundary treatment. Consideration must also be given to effects on the existing character and appearance of the streetscape and how this may be enhanced or preserved.

The site is large and has a detached two storey building which has been used as a care home. This has been closed for some time and is situated to the rear, north of the site, with an access road running along the western boundary. The south of the site formed a garden area for the care home. The proposal seeks to construct two detached dwellings to the south of the existing care home.

The dwellings will be sited centrally on site, with a west facing principal elevation, constructed of red brick and roof tiles. The dwelling will have a hipped roof with porch and bay window detail. The dwellings are set back from the existing access road and plot boundary with green space. The dwellings do not appear unduly large, nor appear as an overdevelopment on site.

A parking area is located to the south of the dwellings. This provides 9 spaces for the dwellings and a visitor space. Due to its location, it does not form a prominent view as you enter the site and is softened with retained green space. There is also a large TPO tree which is visible upon entry to the site and

helps to prevents views from the south.

The area features a variety of housing styles and the design proposed would not be out of character with the area. Due to the siting of the properties, set back 38m from the front boundary, they are unlikely to be visible from the street scene. The houses would be well screened by mature trees along the boundary to the east.

Hedging will be retained to the west and additional planting and a post and rail fence will be situated along the access and boundary between the dwellings. This boundary screening is appropriate for the site and area. The built form is comparable with the adjoining development and does not appear cramped or as an overdeveloped. This layout responds well to the prevailing character of the area and complies with the Arun Design guidance.

The development would not result in harm upon the character of the area and complies with ALP policies D SP1 and D DM1, policy ES5 of the BENDP, and ADG.

RESIDENTIAL AMENITY
ALP policy QE SP1 requires all development to contribute positively to the quality of the environment and ensure that development does not have a significantly negative impact upon residential amenity. Policy D DM1(3) indicates planning permission will only be granted where it has minimal impact on the users or occupiers of nearby land.

The ADG sets out the following guidance on interface distances between houses:

- Back/Front to Side: min. 14m between habitable rooms and side gable of adjacent property.
- Back to Boundary: min. 12m between habitable rooms and site boundary to existing landscaping.

Sufficient separation is retained to all boundaries to ensure the dwellings do not appear overbearing or overshadowing. There will be two side facing windows looking south to Plot 1 and to the north of Plot 2 however due to the separation between nearby occupiers, it would not result in demonstrable harm due to overlooking.

To the rear, there is 11m retained to the boundary. This adjoins the garden and boundary of No.28 Market Close. First floor windows are proposed and will serve bedrooms. These windows will give rise to views which are currently not achievable. However, the views are not considered significant to warrant refusal. This is due to the siting which when looking at a 45 degree angle, is not likely to provide demonstrably harmful views into neighbouring windows or gardens. There is also significant planting along the boundary and one of the trees is subject to a TPO. The ADG states 14m should be retained from the back to side of adjacent properties. In this case, the proposal complies with this with 14.5m achieved.

The proposal would result in additional comings and goings from the site however with only two properties proposed, this is not significant. It is noted that the site has permission for 5 dwellings.

The development would not result in an adverse impact on living conditions of occupiers of neighbouring dwellings by reason of overbearing, overlooking, or overshadowing. The development would accord with ALP policies D DM1 and QE SP1 and the ADG.

SPACE STANDARDS
ALP policy D DM2 states that the planning authority will require internal spaces to be of an appropriate size and that the Nationally Described Space Standards apply.

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

The dwellings will have an internal area of approximately 122sqm. This exceeds requirements.

Each property will have a private amenity space. This will have a depth of 11m and consist of grass with a small patio area. The gardens are a sufficient size. Plot 2 does have a TPO tree, located near the eastern boundary. This is likely to provide some overshadowing and debris from fallen leaves etc however is acceptable.

The proposal complies with ALP policy D DM2 and the ADG.

PARKING/HIGHWAYS
Regard should be had to para 116 of the NPPF which states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

ALP policy T SP1 supports development which incorporates appropriate levels of parking in line with the West Sussex County Council guidance on parking provision. Arun has its own adopted Parking Standards SPD.

BENDP2 policy GA4 states that development proposals will be supported only if they include the maximum level of off-street parking consistent with the most current standards.

The site is located off Barnham Road. The proposal seeks to utilise the existing access into the site. A new internal road will be created for access to a parking area which will serve the dwellings. The proposal allows for turning and parking on site for both units. Both units have 4 no. parking spaces (three for members of staff and a vehicle for the home use). 1 space is also provided for visitors.

ADC Parking Standards require a 4 bed property within this area (Parking Zone 2) provide 3 parking spaces per dwelling. The proposal exceeds this requirement.

WSCC Highways were not consulted on this application, however did comment on the previous application for 5 dwellings and had no objections. As this proposal utilises the same existing access from Barnham Road and seeks fewer dwellings it is not considered to result in harm upon the highway.

Cycle storage is shown in the rear gardens. Full details will be conditioned.

Subject to conditions, the proposals would provide a safe and suitable access, and adequate parking and would not give rise to unacceptable highways safety or operation impacts. The proposals would therefore accord with ALP policy T SP1, policy GA4 of the BENDP and the Parking Standards SPD.

FLOOD RISK AND SURFACE WATER DRAINAGE
ALP policy W DM2 seeks to limit development in areas at risk of flooding and W DM3 requires all development identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS), appropriate to the size of development, at an early stage of the design process.

Paragraph 173 of the NPPF states local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.

BENDP2 Policy ES1b states development on undeveloped land must demonstrate that surface water

runoff will be returned to re-development greenfield criteria.

The site is in Flood Zone 1 (low probability of river or sea flooding). Arun Mapping shows that more than 75% of the surrounding 1km grid square is prone to groundwater flooding, therefore this may have an implication for drainage.

With regards to surface water drainage, the drainage strategy states that both the foul and surface water runoff from the property currently discharges via a combined drain within Barnham Road. The proposal seeks to divert the surface water to a nearby surface water sewer. The foul water will be remain in the foul sewer. Infiltration is ruled out due to high groundwater levels. ADC Drainage Engineers have been consulted and provided no objection subject to a condition. Contributing areas do not appear to have been accurately modelled, however this is unlikely to affect the scale or or layout of the development. The hard paved areas are to be constructed from a permeable surface. An attenuation tank is also proposed to provide additional storage to cater for climate change and urban creep. Rainwater harvesting tanks are also included.

The connection to the existing surface water sewer relies on crossing third party land. Agreement in principle from the landowners has not been submitted. If consent is not granted it is unclear how the site will achieve a compliant surface water drainage design that does not increase flood risk as there are no obvious alternative disposal locations. A condition is included to ensure agreement is obtained.

A tree which is subject to a TPO is present to the southwest of the site. There are no pipes within the RPZ of this. It appears (from satellite imagery rather than the plans) that the outfall pipe will cross through an area of existing trees to the east. This is unlikely to affect the drainage design as the pipe may be protected without affecting the layout. It should be ensured that the installation of such drainage infrastructure would not result in harm to trees. The tree officer noted that the attenuation tanks in the garden of both plots, skirt the boundary of the root protection area of the trees. As a result, revised plans were submitted which moved the attenuation tanks further south and outside of the RPZ of the TPO tree. ADC Drainage had no objection to their relocation.

Subject to condition, the proposal would comply with relevant policies and would not result in increase in flood risk in compliance with ALP policy W DM2 and W DM3.

FOUL DRAINAGE
The site lies in the Lidsey Wastewater Treatment Catchment Area. ALP policy W DM1 states all development must demonstrate that adequate drainage capacity exists or can be provided as part of the development.

The proposed foul water network is to be connected to the existing foul water system on site via the construction of a new chamber over the existing drain. A CCTV drainage survey was carried out on the existing drainage network.

Southern Water were consulted, but have provided no response. Confirmation of capacity was provided with this application. This stated there was capacity to facilitate a connection. A formal application for a connection to the public foul sewer is required and an informative is included.

The development would accord with ALP policy W DM1.

ECOLOGY AND BIODIVERSITY
ALP policy ENV DM5 states development shall seek to achieve a net gain in biodiversity. BENDP2 policy ES15 of states that development must assess the impact upon biodiversity corridors.

The site is dominated by modified grassland with 4 trees present to the eastern boundary. A hedgerow of approximate 27m length runs along the western boundary.

The site is assessed as having low suitability for foraging and commuting bats and lacks suitable vegetative structure for reptiles. The scattered trees and hedgerow provide nesting habitat for a range of bird species although no bird nests were observed during the survey. The site is suitable for hedgehogs. No species are to be impacted as a result of the development. A number of enhancements are proposed which include provision of a bat box, bird boxes and a hedgehog nest box.

The site is subject to mandatory biodiversity net gain. The BNG report shows an increase of 10.69% in habitat units and an 86% increase in hedgerow units. Two trees will be planted to each property and an area to the south will provide native scrub and additional native hedging will also be planted.

Subject to conditions securing the enhancements, the proposal will comply with ALP policy ENV DM5 and the NPPF.

TREES
ALP policy ENV DM4 seeks to protect trees on site.

The site is subject to two TPO's which cover 1No. Copper Beech (T1) tree to the southern boundary and 1No. Common Ash (T2) tree to the eastern boundary, located within the garden of Plot 2.

No trees will be removed to enable the proposal. There will be some minor works in the root protection area (RPA) of T1. These relate to the resurfacing of the existing driveway where it already encroaches upon T1. The new access surface has been designed to skirt the periphery of the RPA of T1 and will utilise a permeable, load-bearing construction to minimise any direct effect on the tree. The tree officer had no concerns with this element of the scheme.

The Tree Officer objected as the attenuation tanks at the rear of both plots abuts the root protection area (RPA) of T8 Ash which is to the garden of Plot 2. The proximity of dwelling at plot 2 to the existing crown of T8 could be perceived as nuisance or hazard forming, with shade cast across the property for much of the day and set to increase if growth potential is reached. The Tree Officer advised that a more sympathetic layout should be proposed to better accommodate T8, subject of a TPO. The lifespan and integrity of the attenuation tank features should be considered given the high growth potential and future presence of trees to the rear garden of plot 2.

Following these comments, the dwellings were re-sited further west by 1.5m to retain more space between the rear of the dwelling and the TPO tree to reduce any overshadowing/fallen leaves etc. Attenuation tanks have been moved further south, outside of the RPA of the tree, with the tanks predominately all contained in the 2nd plot. The Tree Officer was reconsulted, however no further response was received. On the basis that the dwellings and attenuation tanks have been moved further away from the TPO tree and are now outside of the RPZ, this is deemed acceptable.

Subject to condition to ensure tree protection measures are in place, the proposal would comply with ALP policy ENV DM4.

HERITAGE ASSETS
ALP policy HER SP1 and HER DM1 stresses designated heritage assets including Listed Buildings and their settings will be given the highest level of protection and should be conserved and enhanced in a manner appropriate to their significance. ALP policy HER DM4 states that planning permission within Areas of Character will be granted subject to new development preserving and where possible, enhancing the special character of these areas.

Paragraph 212 of the NPPF states when considering the impact of a development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paragraph 216 states 'In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

BENDP2 policy ES7 states development affecting Non-designated Heritage Assets should be designed so as to preserve and enhance them, so as to reinforce the quality, character and distinctiveness of the villages.

The site is in the vicinity of a Grade II listed building, an 18th-century detached cottage to the south fronting Barnham Road. It is in the Barnham Road Area of Character- a non-designated heritage asset for the purposes of the NPPF.

The site is occupied by a large detached two-storey building which has been altered and extended and was in use as a residential home prior to its closure. It sits to the rear of the plot with a lawned area to the front of it, being clearly separated from the listed building. The plot is large and heavily treed to the eastern boundary forward of the existing building. It is noted that the surrounding plots are smaller as a result of previous sub-division to create new homes.

The new houses are to be set back from the garden space of the listed building through the provision of an area of hardstanding which will form a parking yard, along with a communal area with a retained tree. This helps to separate the development from the listed building and screen views in from the road. The dwellings are of a standard design and the success will come from the materials proposed.

The Conservation Officer has not provided comment but did provide comments on the previous application which was an identical proposal and are still relevant to this scheme. These stated that the development will have a neutral impact on the heritage assets and there is no harm to its significance nor that of the non-designated asset.

The proposal complies with ALP policy HER SP1, HER DM4 and HER DM1 and the NPPF.

CLIMATE CHANGE
ALP policy ECC SP2 requires residential development be energy efficient and incorporate decentralised, renewable, and low carbon energy supply systems.

The development proposes a minimum of 3.No PV solar panels to the south facing roof of each house. In addition the houses will be of high quality materials with low energy ventilation and heating system. EV charger are also proposed.

Subject to condition, the proposal would comply with ALP policy ECC SP2.

SUMMARY
NPPF Paragraph 11(c) states that development proposals that accord with an up-to-date development plan should be approved without delay. The development falls within the BUAB where the principle of development is acceptable. The proposal is policy compliant on matters relating to design, amenity, parking, drainage, trees and heritage aspects.

As a result, the proposal is recommended for approval subject to conditions and informatives.

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 positive impact on the protected characteristics (age).

CIL DETAILS

This application is CIL liable, therefore, developer contributions towards infrastructure will be required (dependent on any exemptions or relief that may apply).

RECOMMENDATION

APPROVE CONDITIONALLY

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

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

2 The development hereby approved shall be carried out in accordance with the following approved plans:

- Location Plan - 0040 P05
- Proposed Block Plan - 0042 Rev P10
- Proposed Site Plan - 0043 Rev P10
- Proposed Front and Side Elevations - 0047 Rev P05
- Proposed Rear and Side Elevations- 0048 Rev P05
- Proposed Ground Floor Plan - 0044 Rev P06
- Proposed First Floor Plan - 0045 Rev P06
- Proposed Street Scene - 0049 Rev P03

- Proposed Roof Plans - 046 P03

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

3 Prior to the commencement of development, full details of the proposed surface water drainage scheme must be submitted and approved in writing by the local planning authority. The detailed design must be based upon and build on the surface water information submitted in the SUDS and Drainage Report (reference C3876 revision P3).

The full details submitted for approval shall include:
1.Detailed drainage plans conforming to Local Planning Authority guidance,
2.Specifications for all surface water drainage components and associated infrastructure or flow control mechanisms,
3.Calculations for the rainwater harvesting tanks in line with BS EN 16941,
4.Modelling of the surface water drainage network with a surcharged outfall (as appropriate and agreed),

The scheme shall then be constructed as per the approved plans. No building shall be occupied until the complete surface water drainage system serving that building has been implemented in accordance with the agreed details. The surface water drainage scheme shall remain for the lifetime of the development unless agreed in writing by the local planning authority. The local authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development.

Reason: In order to comply with Arun Local Plan policies W DM3 and the NPPF. This is required pre-commencement to ensure that drainage is in place prior to construction.

4 Prior to commencement of surface water drainage works on site details of any relevant permissions relating to the discharge location of the SuDS scheme shall be submitted to and approved in writing by the Local Planning Authority. The site shall drain to the approved location unless otherwise agreed in writing by the Local Planning Authority.

Reasons: In order to comply with Arun Local Plan policy W DM3 and the NPPF.

5 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. The spaces so provided shall be retained in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with Arun Local Plan policy T SP1.

6 No development above damp-proof course (DPC) level shall take place unless and until a detailed colour schedule of materials and finishes to be used for external walls and roofs of the proposed dwellings have been submitted to and approved in writing 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 the character and appearance of the wider area in accordance with Arun Local Plan policies D DM1 and D SP1.

7 Prior to any part of the new development being first brought into use/occupied, a bat friendly Lighting Plan shall be submitted to and approved in writing by the Local Planning Authority.

The recommended lighting specification shall use LED's (at 3 lux) with the recommended spectrum being 80% amber and 20% white with a clear view, no UV, a horizontal light spread of less than 70 degrees and a timer. A 3D plan of the illumination level should be supplied so that the Local Planning Authority can assess the potential impact on protected species.

Reason: To allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats and species) and Arun Local Plan policy ENV DM5

8 All activity at the site is to be carried out in strict accordance with the 'Arboricultural Impact Assessment & Method Statement' - 2733 Rev 02

If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones, then prior to their installation a Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced out on site.

Reasons: To comply with BS5837 and policy ENV DM4 of the Arun Local Plan to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area.

9 Prior to any development above damp-proof course (DPC) level, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within Section 6 of 'Preliminary Ecological Appraisal, Dec 2025' shall be submitted to and approved in writing by the Local Planning Authority.

The enhancement measures shall be implemented in accordance with the approved details prior to first occupation of any part of the development and all features shall be retained in that manner thereafter.

Reason: To enhance protected and priority species and habitats in accordance with Arun Local Plan policies ENV SP1 and ENV DM5 and allow the Local Planning Authority to discharge its duties under the NPPF and s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats and species).

10 The approved development shall include energy efficiency measures that reflect the current standards applicable at the time of submission and decentralised, renewable or low carbon energy supply systems. Any physical features that are required as part of the works must be installed prior to the occupation of each dwelling and shall be thereafter permanently maintained in good working condition.

Reason: In order to secure a reduction in the use of energy at the site in accordance with national planning policy and Arun Local Plan policy ECC SP2.

11 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (the biodiversity gain condition) that development may not begin unless:

1. A Biodiversity Gain Plan has been submitted to the planning authority, and
2. The planning authority has approved the plan.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

12 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the dwellings shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

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

13 The dwellings shall be used for Class C2 Care Home use only and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any other Statutory Instrument revoking and re-enacting that Order).

Reason: To enable the Local Planning Authority to maintain control in the interests of the amenities in accordance with Arun Local Plan policies D DM1 and D SP1.

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 the New Connections Services Charging Arrangements documents via https://beta.southernwater.co.uk/infrastructurecharges.

15 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.