

Recommendation Report for Planning Permission

REF NO: BN/43/16/PL

LOCATION: Angels Nursery
Yapton Road
Barnham

PROPOSAL: 95 No. dwellings together with access, landscaping open space & associated works.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	95 No. dwellings together with access, landscaping open space & associated works.
SITE AREA	3.5 hectares.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	29 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	Boundary trees/hedges around the perimeter of the site, including a number of TPOs, particularly along the Yapton Road frontage.
BOUNDARY TREATMENT	It has trees/hedging planted along the frontage to Yapton Road. The site has white painted fencing along the Yapton road frontage as the site commenced construction during February/March 2016.
SITE CHARACTERISTICS	The site is flat and has been in former horticultural use. The site has various groups of trees within the site and the group to the front of the site have a TPO.
CHARACTER OF LOCALITY	The site is in close proximity to the village centre and has good pedestrian access to the railway station. To the west of the site there is the recently built community hall and neighbouring residential development that fronts the access to the hall. There are playing fields to the south of the community hall. Opposite the site, at the former tree nursery, there is a new development of 44 dwellings that is about to commence on site, site clearance took place in December 2015. To the east, immediately adjacent, is the

former Lillies Caravan Park which is also to be developed for housing with 38 dwellings. The application was approved subject to the conclusion of a s106.

Land to the south of the site remains in horticultural use with extensive glasshouses on site.

This area of Yapton Road is very much an extension to the existing built up area and the character is clearly more rural to the east where there is residential ribbon development along the southern side of Yapton Road. Further east there is Barnham Windmill and associated small craft shops.

The residential use of the site has been established.

RELEVANT SITE HISTORY

BN/27/09/	Outline application for demolition of all existing structures and redevelopment with up to 95 dwellings (including up to 38 affordable homes) together with associated open space, landscaping and access improvements (This is a Departure from the Development Plan)	Refused 09-04-2010 Appeal: Allowed 06 01 2011	<i>Appealed</i>
BN/29/13/	Application for approval of reserved matters following Outline approval BN/27/09 for demolition of all existing structures and redevelopment with 86 dwellings together with associated open space, landscaping and access improvements.	ApproveConditionally 14-03-2014	
BN/51/15/PL	Variation of condition No.1 imposed under planning reference BN/29/13/ relating to approved plans	Refused 18-02-2016	
BN/58/15/PL	Erection of 9 No. dwellings.	Refused 22-02-2016	

REPRESENTATIONS

Representations received:

Barnham Parish Council

At the meeting of Barnham Parish Council on Monday 5th September the Council agreed to support this application subject to the S106 agreement previously agreed in relation to this

site being replicated in respect of the community facilities contribution of £1000 per dwelling (or £80,000) being ring-fenced and made available to the Parish Council to enable the Council to undertake a scheme to upgrade Murrell's Field to make it suitable for organised sporting activities.

The Council would very much wish to be involved in discussions should this not be the anticipated outcome of any new S106 agreement.

The Council would also like to receive reassurances that the proposed highways layout in respect of this development has been carefully considered particularly in relation to the development currently under construction on the opposite side of Yapton Road.

Comments on Representations received:

Noted

CONSULTATIONS

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

Consultations responses received:

Southern Water

A 300mm diameter foul rising main and 225mm diameter foul sewer crosses the site these require a 3m easement on either side to protect it from construction works and to allow future access for maintenance. The exact positions of these pipes should be determined on site before the proposed development is finalised.

No tree planting within 3m either side of the public sewers and all existing infrastructure should be protected during the course of construction works. No new soakaways should be located within 5m of foul rising main or foul sewer.

Southern Water cannot accommodate the needs of the application without the development providing additional local infrastructure.

If permission were to be granted SW provided conditions and informatives that should be added to the approval.

EHO

Thank you for submitting the Remediation Method Statement (ref: GE15163-rms-dec15) with the application. The report illustrates that the contamination onsite will be dealt with by importing a suitable cover system.

Please apply conditions ENV5 and 6. Three additional conditions added that require a detailed CMP and noise conditions.

Economic Development

No Objections but ask the developer to sign up to the Developer and Partner Charter as well as produce a skills and employment plan relating to the site.

Environment Agency

We have reviewed the Groundwater Assessment report and agree with the conclusions that the ground infiltration investigations and groundwater monitoring indicates that the site is not suitable for soakaways. In addition to that, part of the site experiences artesian conditions in that groundwater will overflow in certain times of the year.

The proposed development site appears to have been the subject of past industrial activity which poses a low risk of pollution to controlled waters. We are however unable to provide detailed site-specific advice relating to land contamination issues at this site and recommend that you consult with your Environmental Health / Environmental Protection Department for further advice. Where necessary we would advise that you seek appropriate planning conditions to manage both the risks to human health and controlled waters from contamination at the site. This approach is supported by Paragraph 109 of the National Planning Policy Framework.

We consider that planning permission should only be granted to the proposed development as submitted if the following planning conditions are imposed as set out below. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would wish to object to the application.

Condition : SUDS Infiltration of surface water into ground.

No drainage systems for the infiltration of surface water drain age into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that surface water drainage from the proposed development does not result in a deterioration of groundwater and surface water quality. In addition, Infiltration through contaminated land has the potential to impact on groundwater. This must be adequately addressed.

Waste on site

The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause

pollution

- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to:

- the Definition of Waste: Development Industry Code of Practice on the CL:AIRE website and;
- The Environmental regulations page on GOV.UK.

Waste to be taken off site

Contaminated soil that is, or must be, disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer. Refer to the Hazardous Waste pages on GOV.UK for more information.

WSCC - Strategic Planning

Developer contributions

Education

Primary £312,560

Secondary £0

Sixth Form £0

Libraries - £33,963

Fire & Rescue £2,766

WSCC Highways

The LPA will be aware of the Highway Authority's previous responses to an earlier outline proposal

on the site. As there are no substantive changes to highway matters for the current proposal (essentially, the highway proposals are broadly identical and were considered at the time of the

previous application), no objection is raised subject to a suitable S106 Agreement being entered into and suitable planning conditions to secure all relevant infrastructure (details are set out at the foot of this report).

Access and internal road layout.

Vehicular access is provided via a single junction with corresponding right hand turning lane and pedestrian refuge on Yapton Road. Pedestrian access points are found alongside and to various areas of the site including Yapton Road, Murrel's Community Centre land and Lillies Caravan Park. The layout has been subject to pre-application discussions, culminating in the layout as now presented in drawing 15081/001 produced by Milestone Transport Planning. The site road layout has also been 'tracked' for access by refuse and fire and rescue appliances. Visibility splays commensurate with a 20mph design speed have been shown at main junctions and communal access points. 2.0m x 2.0m pedestrian intervisibility splays should be provided for all private accesses. Tactile paving should also be provided at all necessary crossing points and where cycle paths join/leave parts of the access road. One small modification required is for the footways either side of the 'central' shared surface road should be extended slightly to join the road clear of the ramp at the raised table adjacent to plots 40 and 65 (These details will need to be checked and agreed at the S38 and S278 stages).

Road adoption.

It is understood that the main access roads are to be offered for adoption under Section 38 of the Highways Act 1980. As such, service margins are generally shown throughout. However, careful attention should be paid at the S38 stage to ensuring adequate margins around the turning heads adjacent to plots 64 and 95. Currently, these are not fully shown in these locations.

Road Safety.

A new Stage 1 Road Safety Audit was provided as part of the submission. It has been reviewed and the recommendations made accepted by the designer. All recommendations to be incorporated in any future versions of the highway-elements of the scheme. These will be checked at the S38 and S278 stages following any granting of planning permission.

Car and cycle parking.

This is provided in-line with WSCC guidance although careful attention should be paid to the final internal design of the cycle parking facilities shown on drawing 2124/25 to ensure that cycles can park as shown. Space within the enclosure is there but location of 'hoops' to secure bikes needs to be such that adequate circulatory space is provided.

Traffic impact.

The previous proposal was for 86 homes. The current one is for a slight increase to 95. Given the previous acceptance of the scheme by the Highway Authority, the applicant has only been asked to provide a summary of the likely traffic impact generated by the scheme. They have, nevertheless, provided a Transport Statement (Milestone Transport Planning - September 2016) reviewing a number of highway matters. This includes sustainable access, road junction design and traffic impact.

It is shown that the proposed scheme would generate in the order of 52 AM peak movement (11 arrivals and 41 departures) and 63 PM peak movements (42 arrivals and 21 departures). Daily flows would be in the region of 560 vehicles. This level of traffic is considered acceptable in relation to the function and operation of Yapton Road and is in-line with that assessed and accepted through the previous outline application.

The original TA assessed the operation of the site access junction with Yapton Road in relation to capacity. It was considered that the level of traffic generation associated with the site (in the order of one additional vehicle movement per minute during the network peaks) would not be considered to represent a material impact on the operation of the local network. Also, through a review of recently consented schemes in the vicinity of the site that have been required to consider traffic impact, it is noted that these sites have included the Angels Nursery site as 'consented development' in any assessments. Therefore, the site would be included in any TEMPRO assessment undertaken in support of adjacent consented schemes.

On the basis of the findings within the original TA and this summary of traffic generation, in the context of the guidelines within Paragraph 32 of the NPPF, it is considered that there are no residual cumulative impacts in terms of highway safety or the operational capacity of the surrounding transport network.

Sustainable Access.

The site is easily accessible to Barnham Railway Station, local bus services, walking routes and local facilities.

Conclusion.

If the LPA is minded to approve the application, it should be subject to a suitable S106 Agreement to secure:

1. TRO sum of £7000 towards possible waiting restrictions on Yapton Road if on-street car parking arises post-development occupation (to be available as soon as any parking issues arise on-street).
2. Financial contributions towards other non-highway WSCC services.
3. Non-adoption clauses (to prevent roads, footways etc. being offered for retrospective adoption).
4. Details of long-term management plans and management company for the development (to include - but not be limited to - all roads, footways, cycleways not intended for adoption etc.).

10 Conditions and 4 informatives are proposed.

Highways England
No Objections

Greenspace
Public Open Space

Developments of 10-200 dwellings or more are expected to provide open space on site. The Council's SPG guidelines which apply to developments of houses and are based broadly upon the National Playing Fields Association's (NPFA) "Six Acre Standard". Under superseded Fields

in Trust guidelines (FIT) this requires that 3.2 hectares of open space are provided for every 1,000 people ie 32 square metres of open space per person. We would require confirmation of the areas of public open space being proposed with this development. As there are 95 dwellings proposed for this site, then provision of LAP and LEAP would be sought on site with the addition of Multi-Use Games Area (MUGA) contribution being sought. The present details indicate an on-site open space provision of 4652m², however 2289m² of this is indicated as retention basin and would not be suitable as open space. The open space indicated at present does not meet the minimum requirements.

Landscape/Tree protection

Forming part of the application and prior to any consent being given a full landscape scheme should be submitted for approval, detailing species choice, position, densities and size at time of planting. This should be plotted in plan and list form and in relation to the trees and vegetation to be retained in the locale, so that a clear picture of the proposals can be seen. These details are required to assure the adjacent land setting is maintained, the setting is uncompromised and the proposals are appropriate to its setting. The retained vegetative areas to the periphery of the site would create wildlife corridors and for the retention of valuable established vegetation.

Any trees or vegetation that fall within the proposed or periphery of the development, may provide significant aesthetic impact to the location. Any trees in particular along the boundaries, which adjoin neighbouring land, in particular is the vegetation cover to be seen to all boundaries particularly to the east, south and west of this site. The trees that adjoin the caravan park potentially provide valuable screening and should be retained. Trees are present within the site and to an area on the northern entrance area and some consideration has been given to these in relation to the areas of proposed open space within the proposals. Any considered tree removal from this site should be agreed with Arun District Councils Tree Officer. Root protection Areas (RPA) should extend into the development site and to those in neighbouring land. Before construction, a tree protection scheme must be in place for any retained trees including trees whose root protection areas fall within the construction zone from neighbouring land. This should be in accordance with BS 5837:2012 'Trees in relation to construction' Any removed trees should be mitigated for allowing for inclusion of native species for biodiversity purposes and fitting to the semi-rural setting.

An ecological report detailing biodiversity and habitat, an LVIA and full tree survey should be submitted for approval, along with the proposed landscaping including proposals for the long term maintenance and management.

Tree Officer

The Council's Tree officer has made a recommendation for three trees to be given a TPO.

ADC Drainage Engineers

The surface water drainage design for the previous application at this site consisted of attenuation with a restricted discharge to the ditch system bounding the site. It also allowed for the internal ditches to be filled, while retaining all ditches on the boundary and giving an easement for access and maintenance.

It must be ensured that suitable space is retained in the layout for the required volume of stormwater storage. Discharge rates would have to be revised if the proportion of impermeable

area has changed.

Please apply conditions ENGD2B without the monitoring and testing requirements (ground conditions established in previous applications, please refer to these to inform the drainage design), ENGD3A, ENGD4A, ENGD5a, ENGD5B, ENGD6A

Planning & Housing Strategy

On this site the Council is satisfied that the 30% provision is being met via the provision of 28 affordable homes out of the net total of 93.

Property Mix

There is a high requirement for affordable housing both for rental and intermediate housing in the Arun District. As previously agreed it is acceptable that the Affordable Housing is made up of 50% Affordable Rented homes and 50% Intermediate homes. It is accepted that social rented homes are likely to be undeliverable but investigations have concluded that a 50:50 mix (as described above) could be delivered and the Council would request that the applicants engage with one of our preferred registered partners (as previously notified) for the acquisition of the affordable housing.

Property design

Integration - The affordable housing should be integrated into the overall development to form clusters. The Affordable Housing should be indistinguishable in built form from the Open market housing.

Property sizes

As agreed the 1 and 2 bedroom sizes of the Affordable housing are acceptable.

S106 considerations and Affordable Housing Agreement

The Council would not support capped percentage transfer values to a provider of affordable housing being applied to the affordable housing dwellings.

Summary

This scheme would be supported in terms of the provision of affordable housing. An Affordable Housing Statement would be required in order to understand the location of the Affordable Housing and which organisation will be providing it.

Sussex Police

The Development has good active frontage. The parking is within the curtilage, garage or car barns which should leave the streets, free and unobstructed. Their advice is standard and a copy has been provided to the applicant.

Lighting should conform to the recommendations within BS5489:2013.

Environment Officer - Ecology

The site has been identified as having species of common reptiles present, the mitigation and enhancements put forth in the Interim Reptile mitigation plan is appropriate and we wish to

condition the following points from this report; 3.1.1 - 3.1.4, 3.3.1 - 3.4.3, 4.1.1, 4.1.2. We wish to condition the soft strip of the roofing material with an CIEEM, with a bat licenced ecologist being present for the whole of the process. The terrestrial mammal survey update submitted is acceptable. We wish to have the Ecological enhancement and mitigation plan conditioned, points that have been covered in this response supersede those made in the Ecological enhancement and mitigation plan. No tree protection order (TPO) shall be harmed this includes their roots.

Clearance of suitable nesting bird habitat (i.e. removal of trees, hedging, dense shrubs and dismantling / demolition of any building) should ideally be undertaken outside the breeding bird season, i.e. should be undertaken in the period September to February inclusive. Should it prove necessary to clear bird nesting habitat during the bird nesting season, then a pre-works check for nesting birds should be undertaken, by a CIEEM ecologist (with 24 hours of any works). If any active nests are found, activities (e.g. tree felling / vegetation clearance / building dismantling / demolition) should cease and an appropriate buffer zone should be established. This buffer zone should be left intact until it has been confirmed that the young have fledged and the nest is no longer in use.

We would like to condition the placement of 15 nesting opportunities for birds (species such as swallows, swifts and housemartins), to replace any potential loss of roosting/nesting provision. Along with 4 bat roosting structures being put on/around the new buildings as a total for the site, these bat structure would be best placed within the walls of the new houses near the pond on the western side of the site facing south to the pond area. Appropriate designs can be found in the publication "Designing for Biodiversity: A technical guide for new and existing buildings", we do not favour the 3FN Schwegler bat box in this case as it is easy to remove from an area. Ecological advice should be sort in when deciding where and which of these structures should be placed for maximum effectiveness, because thermal tolerances of each species are very important. We require these nesting and roosting structures to be integral to the buildings. Lighting will need to be kept to a minimum, as lighting levels have a effects on nocturnal species such as bats, flying invertebrates and various mammal species. To this end there will need be a lighting plan, for conditioning. There will need to be a plant scheme containing native plants only, submitted for conditioning.

We ask that applicants/consultants please share their survey results with Sussex biodiversity records centre.

Comments on Consultation responses:

The responses received have been noted

POLICY CONTEXT

Designation applicable to site:
Outside Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	<u>GEN7</u>	The Form of New Development Development and the Provision of Infrastructure Parking in New Development Public Transport Cycling and Walking Affordable Housing
	<u>GEN8</u>	
	<u>GEN12</u>	
	<u>GEN14</u>	
	<u>GEN15</u>	
	<u>DEV17</u>	

<u>GEN18</u>	Crime Prevention
<u>GEN20</u>	Provision of Public Open Space within New Development
<u>GEN25</u>	Water Resources
<u>GEN33</u>	Light Pollution
<u>GEN9</u>	Foul and Surface Water Drainage
Publication Version of the Local Plan (October 2014):	D DM1 Aspects of Form and Design Quality
	H DM1 Housing Mix
	H SP2 Affordable Housing
	OSR DM1 Open Space, Sport and Recreation
	SD SP1 Sustainable Development
Barnham & Eastergate Neighbourhood Plan 2014	Quality of design
POLICY ES5	
Barnham & Eastergate Neighbourhood Plan 2014	Contribution to local character
POLICY ES6	
Barnham & Eastergate Neighbourhood Plan 2014	Parking and new development
POLICY GA4	
Barnham & Eastergate Neighbourhood Plan 2014	Housing mix
POLICY H3	
Barnham & Eastergate Neighbourhood Plan 2014	Integration of new housing into surroundings
POLICY H4	
Barnham & Eastergate Neighbourhood Plan 2014	Outdoor space
POLICY H5	
Barnham & Eastergate Neighbourhood Plan 2014	Attention to detail
POLICY H6	
Barnham & Eastergate Neighbourhood Plan 2014	Drainage for new housing
POLICY H7	

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 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 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.

Barnham & Eastergate Neighbourhood Development Plan was made in July 2014 following a referendum.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

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 complies with the Development Plan.

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 legislative background.

CONCLUSIONS

The principle of residential development has already been established on this application site with the approval and implementation of application BN/29/13 for 86 dwellings. The applicant sought to increase the number of units to 95 in early 2016 but the two re-plan applications were refused due to the layout, design, and lack of POS. The approved application was implemented in March 2016 but on commencement the applicant discovered that the Southern Water infrastructure, sewer pipe, that crossed the southern part of the site was 20m out of line from the SW plan. This resulted in the developer stopping works and seeking to re-plan the application site to take account of the pipeline.

The main planning issues for this application are whether the amended site layout:

- Satisfies the Highway and Parking requirements;
- Satisfies the requirements for POS and landscaping;
- Satisfies the requirements for drainage and flooding; and
- Provides for an acceptable Layout and Design including its relationship to the surrounding area.

Planning Policy

Policy GEN7 - The Form of New Development applies to this proposed change of layout design. The policy is a saved policy and as it provided the general principles of development management it can be given significant weight. The revised layout sought by the applicant is required to meet the criteria of this policy if it is to be acceptable.

The proposal is for 95 units, therefore the proposal would make an efficient use of land as per criterion (i).

(ii) requires that the development responds positively to the identified characteristics of the site and to create attractive places and spaces with the needs of people in mind and respects and enhances local distinctiveness.

(iii) -(v) are met.

(vi) no updated landscaping plans have been submitted with the application, Greenspace are now willing to accept the location of the POS and the £1000 per unit contribution to improve the adjoining play areas & pitches by the village hall. There is a deficiency from Greenspace advice but this is based on the Fields in trust standard which is not yet adopted. The proposal will meet with the SPG standard which had been indicated during the earlier applications and pre-application advice from Greenspace.

(vii) and (viii) considers the layout in relation to highways and parking. As set out in the consultee comments above the layout does not meet the requirements of the Local Highway Authority. The alternative layout is acceptable and therefore the proposal complies with GEN7 (vii) and (viii).

The policy continues that the District council will expect a high standard of design and layout and as submitted the proposed layout now meets the required technical and design standards the council seek.

Barnham & Eastergate Neighbourhood Plan

The neighbourhood plan requires high quality design. The supporting text to the policy confirms that "new development should be designed to respond to the specific character of the site and its local surroundings and to create a sense of place. This is important as the different parts of the parishes give rise to differing styles, each with their own local strengths and weaknesses".

Policy H4 requires "proposals for residential development should be of high quality, and designed so that the new housing integrates into its surroundings and is well connected to the village". The supporting text refers specifically that new development should not be an add on, but is fully integrated. This will be helped by good design that reflects the character of the surrounding area.

Policy H5 Outdoor Space is also relevant to this amendment to the revised layout. The level of open space has been reduced as a result of the application.

Highways and Parking

The local Highway Authority have no objections to the revised layout subject to conditions and a s106. A development of 86 units had previously been accepted and the increase of 9 units to 95 does not represent a material impact in traffic generation. The assessment also took account of nearby approved residential developments.

The site is in a sustainable location given proximity to Barnham station, local bus services and walking routes to local shops and services.

10 conditions are recommended and there is a requirement for a s106.

Greenspace and Landscaping

In the most up to date POS drawing (2124/127 rev B) the development provides for 5269sqm, this excludes the SUDS detention basin. The SPG requires 24sq.m per person which equates to 5472sq.m. Therefore the scheme is deficient in open space.

The SPG allows for off-site provision to be made where appropriate - it is deemed that given the site's location adjacent to the village hall playing pitches, MUGA and play equipment it is an appropriate location. The applicant has put forward the argument that the adjoining site, at the Lillies, only provided 50% of the required POS and a £1000 per unit contribution.

In planning terms given the Fields in Trust standard has not been adopted, the current SPG as advised to the applicant in both earlier 2016 applications and pre-application advice, the SPG standards be used.

Landscaping/Trees

A condition has been added that requires a detailed landscape management plan to be submitted.

There are existing trees throughout the site, some of which have TPOs. These are recognised in the revised layout.

The tree officer proposed three new TPOs to be made however all three would have been removed as part of the approved and implemented development. Part 3 regulation 14 (1)(a)(vii) of the Town and Country Planning (Tree Preservation)(England) Regulations 2012 states:

(vii) "so far as such work is necessary to implement a planning permission (other than an outline planning permission or, without prejudice to paragraph (iii)(cc), a permission granted by or under the Town and Country Planning (General Permitted Development) Order 1995) granted on an application under Part III of the Town and Country Planning Act 1990 (control over development), or deemed to have been granted (whether for the purposes of that Part or otherwise)".

Therefore if the Council sought to implement a TPO on the trees identified by the tree officer, the applicant can legally fell these trees under the 2013 approval.

The applicant has stated that none were considered worthy of TPO when the TPO for the site was drawn up in 2010. This has been discussed with the green space team who will consider the inclusion of new trees in the conditioned landscaping plan as mitigation for the loss of trees.

Drainage and Flooding

The site has been accepted as a location which can accommodate a development of 95 dwellings. An appropriate drainage scheme was submitted with the previously approved layout. The flooding and drainage assessment accompanying this application appears to meet the councils requirements for flooding and drainage with the exception of the requirement to infill a ditch along part of the eastern boundary. This has now been agreed to as it is not defined as a ditch and therefore it can be infilled.

The drainage scheme will require winter monitoring and testing. 6 Drainage conditions are proposed.

Layout Design

The revised layout is the result of discussions during the two refused applications, a pre-application submission that has created an improved layout that recognises the aims of providing a street frontage on to Yapton Road, creation of a series of green spaces with properties overlooking the greens.

A major complication had been the sewer pipe to the south of the site that created an area that is not large enough to accommodate dwellings but has now formed a green buffer between the proposed development and the fields beyond. The buffer will form the SUDS scheme with a detention pond.

The layout is acceptable.

Summary

The revised layout is now acceptable. The design of the proposed dwellings is appropriate for the village location and addresses the highways requirements for the site.

An issue in the earlier refusal had been provision of open space. The development provides a total of 6357sq.m of open space, including the detention pond which far exceeds the requirements of the SPG, however the Greenspace team have taken the view that the detention pond cannot be included, and therefore the development would be slightly deficient, providing 5269sqm (requirement would be 5472sqm). This is resolved by the applicant agreeing to the SPG alternative that allows developments to pay a £1000 per unit £95,000 contribution which will provide improvements to the adjoining play pitches and play areas at the village hall.

The development has provided a drainage strategy that will be conditioned. full details of winter monitoring and testing will be required to confirm the SUDS layout.

Recommendation is to approve subject to conditions and s106.

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 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and

the recommendation for refusal 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 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).

The implementation of the proposed mitigation measures will satisfactorily address the negative impacts identified

SECTION 106 DETAILS

A new s106 is to be prepared that covers the requirements of WSCC highways, TRO, contributions to education, libraries and fire & rescue, maintenance and Management

RECOMMENDATION

APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT

- 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:

- 2124-00 Location Plan
- 2124-01 Block Plan
- 2124-02 A Site Plan
- 2124-03 Houses 1 to 3 - North & South Elevations
- 2124-04 Houses 1 to 3 - Ground & First Floor Plans
- 2124-05 Houses 1 to 3 - West & East Elevations
- 2124-06 Houses 4 to 7 - South East Elevation
- 2124-07 Houses 4 to 7 - North West Elevation
- 2124-08 Houses 4 to 7 - Ground & First Floor Plans
- 2124-09 A Houses 4 to 7 - South West & North East Elevations
- 2124-10 Houses 8 to 11 - South West Elevation
- 2124-11 Houses 8 to 11 - North East Elevation
- 2124-12 Houses 8 to 11 - Ground & First Floor Plans
- 2124-13 Houses 8 to 11 - South East & North West Elevations
- 2124-14 Houses 12 to 14 - Elevations
- 2124-15 Houses 12 to 14 - Ground & First Floor Plans
- 2124-16 Houses 15 to 20 - South East & North West Elevations

2124-17 Houses 15 to 20 - South East Elevation - Part 1
2124-18 Houses 15 to 20 - South East Elevation - Part 2
2124-19 Houses 15 to 20 - North West Elevation - Part 1
2124-20 Houses 15 to 20 - North West Elevation - Part 2
2124-21 Houses 15 to 20 - Ground and First Floor Plans - Part 1
2124-22 Houses 15 to 20 - Ground and First Floor Plans - Part 2
2124-23 Houses 15 to 20 - Side Elevations - Part 1
2124-24 Houses 15 to 20 - Side Elevations - Part 2
2124-25 Houses 21 to 26 - North & South Elevations
2124-26 Houses 21 to 23 - North & South Elevations
2124-27 Houses 21 to 23 - Ground & First Floor Plans
2124-28 Houses 24 to 26 - North & South Elevations
2124-29 Houses 24 to 26 - Ground & First Floor Plans
2124-30 Houses 21 to 26 - East & West Elevations
2124-31 Houses 27 & 28 - Elevations
2124-32 Houses 27 & 28 - Ground & First Floor Plans
2124-33 House 29 - Elevations
2124-34 House 29 - Ground & First Floor Plans
2124-35 Houses 30 to 32 - West Elevation
2124-36 A Houses 30 to 32 - East Elevation
2124-37 Houses 30 to 32 - Ground & First Floor Plans
2124-38 Houses 30 to 32 - Side Elevations
2124-39 Houses 33 to 40 - North & South Elevations
2124-40 Houses 33 to 40 - North Elevation - Part 1
2124-41 Houses 33 to 40 - North Elevation - Part 2
2124-42 Houses 33 to 40 - South Elevation - Part 1
2124-43 Houses 33 to 40 - South Elevation - Part 2
2124-44 Houses 33 to 40 - Ground Floor Plans - Part 1
2124-45 Houses 33 to 40 - Ground Floor Plans - Part 2
2124-46 Houses 33 to 40 - First Floor Plans - Part 1
2124-47 Houses 33 to 40 - First Floor Plans - Part 2
2124-48 Houses 33 to 40 - Second Floor and Roof Plans
2124-49 Houses 33 to 40 - Side Elevations - Part 1
2124-50 Houses 33 to 40 - Side Elevations - Part 2
2124-51 House 41 - Elevations
2124-52 House 41 - Ground & First Floor Plans
2124-53 Houses 42 to 44 - Elevations
2124-54 Houses 42 to 44 - Ground & First Floor Plans
2124-55 Houses 45 & 46 - Elevations
2124-56 Houses 45 & 46 - Ground & First Floor Plans
2124-57 A Flats 47 to 52 - Elevations
2124-58 Flats 47 to 52 - Ground Floor Plan
2124-59 Flats 47 to 52 - First Floor Plan
2124-60 Houses 53 to 55 - Elevations
2124-61 Houses 53 to 55 - Ground & First Floor Plans
2124-62 Houses 56 to 63 - West & East Elevations
2124-63 Houses 56 to 63 - West Elevation - Part 1
2124-64 Houses 56 to 63 - West Elevation - Part 2
2124-65 Houses 56 to 63 - East Elevation - Part 1
2124-66 Houses 56 to 63 - East Elevation - Part 2
2124-67 Houses 56 to 63 - Ground & First Floor Plans - Part 1

2124-68 Houses 56 to 63 - Ground & First Floor Plans - Part 2
2124-69 Houses 56 to 63 - North & South Elevations
2124-70 House 64 - Elevations
2124-71 House 64 - Ground & First Floor Plans
2124-72 Houses 65 to 72 - North Elevation
2124-73 Houses 65 to 72 - South Elevation
2124-74 Houses 65 to 72 - North Elevation - Part 1
2124-75 Houses 65 to 72 - North Elevation - Part 2
2124-76 Houses 65 to 72 - North Elevation - Part 3
2124-77 Houses 65 to 72 - South Elevation - Part 1
2124-78 Houses 65 to 72 - South Elevation - Part 2
2124-79 Houses 65 to 72 - South Elevation - Part 3
2124-80 Houses 65 to 72 - Ground & First Floor Plans - Part 1
2124-81 Houses 65 to 72 - Ground & First Floor Plans - Part 2
2124-82 Houses 65 to 72 - Ground & First Floor Plans - Part 3
2124-83 A Houses 65 to 72 - Side Elevations - Part 1
2124-84 Houses 65 to 72 - Side Elevations - Part 2
2124-85 House 73 - Elevations
2124-86 House 73 - Ground & First Floor Plans
2124-87 Houses 74 & 75 - Elevations
2124-88 Houses 74 & 75 - Ground & First Floor Plans
2124-89 Houses 76 to 78 - West Elevation
2124-90 Houses 76 to 78 - East Elevation
2124-91 Houses 76 to 78 - Ground & First Floor Plans
2124-92 Houses 76 to 78 - North & South Elevations
2124-93 Houses 79 to 82 - East & West Elevations
2124-94 Houses 79 to 82 - Ground & First Floor Plans
2124-95 Houses 79 to 82 - North & South Elevations
2124-96 Houses 83 to 89 - South Elevation
2124-97 Houses 83 to 89 - North Elevation
2124-98 House 83 - Elevations
2124-99 House 83 - Ground & First Floor Plans
2124-100 House 84 & 85 - Elevations
2124-101 House 84 & 85 - Ground & First Floor Plans
2124-102 House 86 - Elevations
2124-103 House 86 - Ground & First Floor Plans
2124-104 House 87 & 88 - Elevations
2124-105 House 87 & 88 - Ground & First Floor Plans
2124-106 House 89 - Elevations
2124-107 House 89 - Ground & First Floor Plans
2124-108 Houses 90 to 93 - South & North Elevations
2124-109 House 90 - Elevations
2124-110 House 90 - Ground & First Floor Plans
2124-111 House 91 - Elevations
2124-112 House 91 - Ground & First Floor Plans
2124-113 House 92 - Elevations
2124-114 House 92 - Ground & First Floor Plans
2124-115A House 93 - Elevations
2124-116 House 93 - Ground & First Floor Plans
2124-117 House 94 - Elevations
2124-118 House 94 - Ground & First Floor Plans

2124-119A House 95 - Elevations
2124-120 House 95 - Ground & First Floor Plans
2124-121 Houses 73 & 29 Garages - Plans & Elevations
2124-122 Houses 34 & 35 Garages - Plans & Elevations
2124-123 Houses 36 & 41 Garages - Plans & Elevations
2124-124 Houses 38 to 40 Garages - Plans & Elevations
2124-125A Bin & Bicycle Stores for Flats - Plans & Elevations
2124-126 Bin & Bicycle Stores for Houses - Plans & Elevations
2124-127B Site Plan showing Public Open Space areas

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

- 3 Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SuDS Manual produced by CIRIA.

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

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan. It is considered necessary for this to be a pre-commencement condition because a proper surface water drainage strategy is vital and goes to the heart of the planning permission.

- 4 Immediately following implementation of the approved SuDS scheme and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. There shall be no deviation to the approved scheme other than with the written consent of the Local Planning Authority. The scheme shall thereafter be maintained 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.

- 5 The development shall not proceed until formal consent has been approved in writing from the Lead Local Flood Authority (WSCC) or its agent (ADC) for the discharge of any flows to watercourses, or the culverting, diversion, infilling or obstruction of any watercourse on the site.

Any discharge to a watercourse must be at a rate no greater than the pre-development run off values.

Reason : To ensure that the proposed development is satisfactorily drained in

accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

- 6 Development shall not commence until full details of the maintenance and management of the SuDS system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include (a) details of financial management of the site including arrangements made in the event that the management company (or any subsequent management company) is no longer able to fulfil its duties; and (b) arrangements for the replacement of major components at the end of the manufacturers recommended design life.

Reason: To ensure the efficient maintenance and on-going operation of the SuDS system and to ensure the best practice in line with guidance set out in 'The SuDS Manual' CIRIA publication ref: C753 Chapter 32.

- 7 Upon completed construction of the SuDS System but prior to occupation of any part of the scheme, the owner or management company shall either provide the local planning authority with an updated copy of the management manual incorporating any changes as a result of construction/implementation or confirm in writing that no changes are required to the manual.

No further changes shall be made to the approved SuDS Maintenance & Management Plan/Regime including the management company responsible or the financial arrangements between the owners of the dwellings & the management company other than with the written consent of the Local Planning Authority.

The owner or management company shall thereafter strictly adhere to and implement the recommendations contained within the manual to ensure that the system is maintained in perpetuity.

Reason: To ensure the efficient maintenance and on-going operation of the SuDS system and to ensure the best practice in line with guidance set out in 'The SuDS Manual' CIRIA publication ref: C753 Chapter 32.

- 8 The development layout shall not be agreed until such time that arrangements for the future access and maintenance of any watercourse or culvert (piped watercourse) crossing or abutting the site has been submitted and approved in writing by the Local Planning Authority.

No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities of any watercourse on or adjacent to the site.

Reason: To ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion.

- 9 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun District Plan policy GEN7.

- 10 Prior to development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the remediated site has been reclaimed in an appropriate standard in accordance with Arun District Local Plan policy GEN7.

- 11 The applicant shall during the next planting season following the felling of the trees, the subject of this application, plant replacement trees of a species and maturity and in positions approved by the Local Planning Authority and under its supervision and in the event that any such trees die within five years following such planting shall replace them by similar trees in similar positions during the next planting season.

Reason: To retain trees in the interests of the environment of the locality in accordance with policy GEN7 of the Arun District Local Plan.

- 12 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.'

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 13 No trees/or bushes/growing/and to be retained/on the site shall be damaged, uprooted, felled, topped or lopped without the prior written consent of the Local Planning Authority until 2 years after completion of the development hereby permitted. Any trees removed without such consent or being severely damaged or becoming seriously diseased or dying before the end of that period shall be replaced with trees of such size and species as may be agreed with the Local Planning Authority.

Reason: To ensure the retention of vegetation important to the visual amenity, /the ecological quality/and for the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 14 No trenches, cable or pipe runs for services and drains shall be cut or laid within the Root Protection Area as calculated in accordance to Table 2 of BS5837 (2012) or, if this information is absent, within a distance of 15m from the bole of any existing tree to be retained on this or adjoining sites.

Reason: To protect tree roots from damage likely to lead to the loss of the tree in the interests of the visual amenities of the locality in accordance with policy GEN7 of the Arun District Local Plan.

- 15 No development including site access, demolition or associated construction activities, shall take place on the site unless and until all the existing trees/bushes/hedges to be retained on the site have been protected by a fence in accordance with BS5837 (2012) and Section 9, to be approved by the Local Planning Authority for erection around each tree, group of trees and vegetation to a distance of 15m or to the Root Protection Area (RPA) as calculated in accordance with Table 2 of BS5837 (2012) to be agreed in writing by the Local Planning Authority. Within the areas so fenced off the existing ground must not be cultivated, nor must it be lowered or raised or added to by the importation and spreading of top soil unless agreed by the Local Planning authority. There must be no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without prior written approval of the Local Planning Authority.

No trenching should occur within the protective fencing surrounding the Root Protection Area. If however there is no alternative but to locate the services then its encroachment into the Root Protection Area must be kept to a minimum and where the roots should be exposed using compressed air technology, such as the air spade to reduce damage caused by mechanical methods. If roots requiring severance to allow for the passage of services is necessary then an arboriculturist would be required to assess and determine whether the loss of the roots would be detrimental to the continued health and stability of the affected tree.

Reason: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with policy GEN7 of the Arun District Local Plan.

- 16 No tree planting within 3m either side of the public sewers and all existing infrastructure should be protected during the course of construction works. No new soakaways should be located within 5m of foul rising main or foul sewer.

Reason: In order to safeguard the public sewer and associated infrastructure in accordance with policy GEN8 of the Arun District Local Plan.

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

Reason: In order to safeguard the amenities of the area and neighbouring residents in accordance with policy GEN7 of the Arun District Local Plan.

- 18 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls (and roofs) of the proposed building(s)/extension have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building/extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 19 The development, hereby permitted, shall not be commenced until the access and associated off-site highway works have been constructed in accordance with plans and details (including recommendations of any associated Road Safety Audits) to be submitted to and approved by the LPA after consultation with the CHA.

Reason: - To ensure fit-for-purpose access constructed to appropriate design and safety standards in accordance with policy GEN7 of the Arun District Local Plan.

- 20 The development, hereby permitted, shall not be occupied until the internal roads and associated infrastructure has been constructed in accordance with plans and details to be submitted to and approved by the LPA after consultation with the CHA. This shall include (but not necessarily be limited to) visibility splays, pedestrian and cycle access considerations, service margins and recommendations of any associated Road Safety Audits.

Reason - To ensure fit-for-purpose roads constructed to appropriate design and safety standards in accordance with policy GEN7 of the Arun District Local Plan.

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

Reason - To provide car-parking space for the use accordance with policy GEN12 of the Arun District Local Plan.

- 22 No part of the development shall be first occupied until the cycle parking has been constructed in accordance with plans to be submitted to and approved by the LPA after consultation with the CHA.

Reason: To provide car-parking space for the use accordance with policy GEN12 of the Arun District Local Plan.

- 23 No development shall be occupied until any disused crossovers and/or accesses no longer required as part of the development, have been permanently removed and reinstated in accordance with Highway Authority specifications to be submitted to and approved by the LPA for consultation with the CHA.

Reason - To ensure that any access points not required to serve the development are permanently removed to avoid risk of inappropriate re-opening in the future and also in the interests of road safety in accordance with policy GEN7 of the Arun District Local Plan.

- 24 The development, hereby approved, shall not be occupied until provision has been made within the site in accordance with details to be submitted to and approved by the Local Planning Authority after consultation with the Highway Authority to prevent surface water draining onto the public highway.

Reason - In the interests of road safety in accordance with policy GEN7 of the Arun District Local Plan.

- 25 The development, hereby approved, shall not be occupied until a scheme for street lighting has been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority after consultation with the Highway Authority.

Reason - In the interests of road safety in accordance with policy GEN7 of the Arun District Local Plan.

- 26 The development, hereby approved, shall not be occupied until a scheme for landscaping has been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority after consultation with the Highway Authority.

Reason - In the interests of road safety in accordance with policy GEN7 of the Arun District Local Plan.

- 27 The development, hereby approved, shall not be occupied until a Travel Plan has been provided in accordance with recognised WSCC guidelines and good practice - details to be submitted to and approved by the Local Planning Authority after consultation with the Highway Authority.

Reason - To encourage sustainable access to and from the development and to reduce the need to travel by private car in accordance with policy GEN14 & 15 of the Arun District Local Plan.

- 28 - Prior to development commencing, a Construction Management Plan shall be submitted to and be approved in writing by the Local Planning Authority after consultation with the Highway Authority. This shall require the applicant and contractors to minimise disturbance during demolition and construction and will include (but not be limited to) details of the following information for approval:

- the phased programme of construction works;
- the means of access and road routing for all construction traffic associated with the development;
- provision of wheel washing facilities and details of their operation and location;
- details of street sweeping;
- construction working times including delivery times;
- details of a means of suppressing dust arising from the development;
- details of all proposed external lighting to be used during construction;
- details of areas for the loading, unloading, parking and turning of vehicles associated with the construction of the development;
- details of areas to be used for the storage of plant and materials associated with the development;
- details of the temporary construction site enclosure to be used throughout the course of construction (including access gates).
- contact details for the site contractor, site foreman and CDM co-ordinator (including out-of-hours contact details).

- evidence of consultation with neighbours prior to works commencing.
- details of any temporary traffic management that may be required to facilitate the development including Chapter 8 traffic signage
- a Section 59 Agreement (required only if construction traffic exceeds 20 HGV vehicles per day over a six-month period).

Details of how measures will be put in place to address any environmental problems arising from any of the above shall be provided. A named person shall be appointed by the applicant to deal with complaints, shall be available on site and their availability made known to all relevant parties.

Reason: - To ensure safe and neighbourly construction in the interests of amenity and road safety in accordance with policy GEN7 of the Arun District Local Plan.

- 29 The development shall not commence until full details of the proposed foul water drainage 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 water drainage 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.

- 30 Details for the storage of waste on the premises shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: To protect the amenities of nearby residents in accordance with Arun District Local Plan policy GEN7.

- 31 Prior to the commencement of construction works details of a proposed foul drainage system shall be submitted to and approved in writing by the Local Planning Authority (including details of its siting, design and subsequent management/maintenance) and no dwelling shall be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details.

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

- 32 Prior to the commencement of construction works on each phase of the development of any preparatory works a detailed ecological enhancement scheme (which shall include the installation of 4 bat boxes and 15 bird boxes throughout the site) shall be submitted to the LPA for approval and will be based on the recommendations within the supporting ecological statement and as appropriate. All approved details shall then be implemented in full and in accordance with the agreed timings and details.

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national guidance and Policy GEN23 and GEN29 of the Arun District Local Plan (2003).

- 33 No operational or construction vehicles shall be operated on the site except between the hours of:

7.00 and 19.00 on Mondays to Fridays inclusive

7.00 and 13.00 on Saturday

Not at any time on Sundays or Public Holidays

Reason: In the interests of amenity in accordance with Arun District Local Plan policies GEN7 and GEN32.

- 34 No demolition, ground clearance or vegetation clearance works shall take place within the bird nesting season (between 1 March and 31 August inclusive in any year). If such works cannot be undertaken outside of the nesting season, a nesting bird check shall be required, which should be undertaken by a suitably qualified ecologist immediately prior to the works taking place. Subsequently if any active nest sites are identified, these nests should remain undisturbed until all the young have fledged naturally.

REASON: To minimise disturbance to nesting birds in accordance with policy GEN29 of the Arun District Local Plan.

- 35 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources or equivalent fabric first standards that would secure a 10% reduction in energy use. Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the local planning authority.

Reason: In order to seek to achieve high levels of energy efficiency in accordance with the aims of the NPPF.

- 36 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 dwelling houses 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 policy GEN7 of the Arun District Local Plan.

- 37 INFORMATIVE:

Please note that related to this permission there is an agreement under Section 106 of the Town & Country Planning Act 1990.

- 38 INFORMATIVE: The developer is asked to sign up to the Developer and Partner Charter as well as produce a skills and employment plan relating to the site. Details can be provided by Arun District Council Economic Development.

- 39 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.

- 40 INFORMATIVE:Applications for S38 and/or S278 Agreements should be made to WSCC as Highway Authority. Full details are available on the WSCC website.
- 41 INFORMATIVE:Roads not forming part of the adopted highway network and/or not intended to be offered for adoption, will not be inspected by the Highway Authority during or after any construction phases. Such roads should, however, be assessed and formally signed-off/approved by a suitable Chartered civil engineer to the satisfaction of the LPA.
- 42 INFORMATIVE:The applicant should contact West Sussex County Council Legal Services to obtain necessary information to enter into the Section 59 Agreement under the Highways Act 1980 as referred to in condition 10 above if HGV construction vehicles exceed 20 per day. The Agreement is required to provide a means of making good the public highway following the cessation of construction traffic and building work on the site.
- 43 INFORMATIVE:The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.