

Recommendation Report for Planning Permission

REF NO: EG/99/17/PL

LOCATION: Eastergate Fruit Farm
Barnham Road
Eastergate
PO20 3RP

PROPOSAL: Variation of condition 12 imposed under EG/71/14/OUT to allow for submission of required updated survey reports prior to commencement of development rather than at reserved matter stage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Variation of condition 12 of EG/71/14/OUT to allow the condition to be discharged prior to commencement rather than at reserved matters stage to read: "The plans and particulars submitted in support of the reserved matters application shall include the following ecological details: - a Construction Environmental Management Plan incorporating the avoidance and mitigation recommendations set out in Eastergate Ecological Summary report by Hankinson Duckett Associates, dated August 2014, ref 2136.9 - a detailed lighting plan showing measures to be used to avoid illumination of boundary habitats, and proposed areas of open space, in order to avoid disturbance to bats (showing modelled areas of light spill and predicted lux levels); - full details of the outlined enhancements recommended in the above ecological report and shown on the Ecological Proposals drwg ref 2136.9/1, fig 8, dated July 2014; and - a management plan to ensure the long-term viability of new and existing habitats. No development shall proceed until the above details have been approved by the local planning authority and then only in strict accordance with them. No development within any phase shall commence if more than 2 years has elapsed between the previous protected species surveys (relating only to roosting bats, badgers, reptiles and dormice) and the date on which development within the phase is commenced, unless an updated protected species survey has been carried out by a suitably qualified ecologist and a report confirming the results and implications of the assessment, including any revised mitigation measures, has been submitted to and approved in writing by the Local Planning Authority. The revised mitigation
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measures shall be implemented and performed.

Reason: To ensure the status of protected species on site has not changed since the last survey."

The original condition 12 reads:-

"The plans and particulars submitted in support of the reserved matters application shall include the following ecological details:

- a Construction Environmental Management Plan incorporating the avoidance and mitigation recommendations set out in Eastergate Ecological Summary report by Hankinson Duckett Associates, dated August 2014, ref 2136.9
- a detailed lighting plan showing measures to be used to avoid illumination of boundary habitats, and proposed areas of open space, in order to avoid disturbance to bats (showing modelled areas of light spill and predicted lux levels);
- full details of the outlined enhancements recommended in the above ecological report and shown on the Ecological Proposals drwg ref 2136.9/1, fig 8, dated July 2014; and
- a management plan to ensure the long-term viability of new and existing habitats.

No development shall proceed until the above details have been approved by the local planning authority and then only in strict accordance with them.

If there is a delay of greater than 24 months between the submission of a reserved matters application and the date of the ecological surveys submitted in support of this application, an updated survey report shall be submitted to support the reserved matters application.

Reason: To ensure that the proposals avoid adverse impacts on protected and priority species and contribute to a net gain in biodiversity, in accordance with 109 and 118 of the NPPF."

SITE AREA

6.4 hectares.

RESIDENTIAL DEVELOPMENT
DENSITY (NET)

30 dwellings per hectare (net)

TOPOGRAPHY

Predominantly flat.

TREES

There are many trees within the site, in particular a prominent line of Hornbeam trees extending north - south and a number of individual mature trees within the site.

BOUNDARY TREATMENT

Front boundary kept by mature hedgerows and trees with low level post and wire fencing. Part of the northern boundary is undefined and the other with low level post and wire fencing. The eastern boundary of the site is again undefined and the west kept by overgrown hedgerows and mature trees.

SITE CHARACTERISTICS

The site is relatively flat and consists of a former orchard with a number of trees and buildings. The site is overgrown in parts with various run-down buildings located within the centre of the site. The site is on the edge of the built up area, north of Barnham Road.

Access to the site is available via a five bar gate and track from Barnham Road.

CHARACTER OF LOCALITY

The site is located outside the built-up area, however the southern and western boundaries adjoin the existing built-up area boundary. The area to the north of the site is open countryside in use as grazing land. To the west lies residential properties, 1 and 2 storeys in height these are of varying character. Residential properties along Barnham Road provide a mix of property types. There is a recreation ground to south west of the site, community hall opposite.

RELEVANT SITE HISTORY

EG/101/16/DOC	Application for approval of matters reserved by condition imposed under EG/71/14/OUT relating to condition No. 15 - Details of means of foul water disposal	DOC Refused 22-03-17
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EG/71/14/OUT	Outline application for the erection of 60 residential dwellings with new vehicular access, open space & other ancillary works	App Cond with S106 03-02-15
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EG/71/89	Change of use of disused and redundant agricultural buildings for light industrial purposes	Refused 22-11-89
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Outline consent will all detailed matters reserved other than access granted condition consent by EG/71/14/OUT on 3rd February 2015.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

No comments received.

No other public representations received.

COMMENTS ON REPRESENTATIONS RECEIVED:

N/A.

CONSULTATIONS

Ecology Advisor

CONSULTATION RESPONSES RECEIVED:

ECOLOGY

We are satisfied with the proposed amendment and the justification for this. However at the reserve matters stage the previous survey work will need to be submitted with the application.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

The reserved matters application has been submitted (EG/6/18/RES) and included the previous survey work.

POLICY CONTEXT

Designation applicable to site:

Outside of the defined built-up area boundary - 2003 Local Plan

Class B Road

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

DEV17	Affordable Housing
GEN11	Inland Flooding
GEN12	Parking in New Development
GEN14	Public Transport
GEN15	Cycling and Walking
GEN2	Built-up Area Boundary
GEN20	Provision of Public Open Space within New Development
GEN33	Light Pollution
GEN7	The Form of New Development
GEN8	Development and the Provision of Infrastructure
GEN9	Foul and Surface Water Drainage

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1	Aspects of Form and Design Quality
D SP1	Design
ENV DM4	Protection of Trees
ENV DM5	Development and Biodiversity
H DM1	Housing Mix
INF SP1	Infrastructure provision and implementation
LAN DM1	Protection of Landscape Character
OSR DM1	Open Space, Sport & Recreation

QE DM2 Light Pollution
 QE SP1 Quality of the Environment
 SD SP1 Sustainable Development
 SD SP2 Built -Up Area Boundary
 W DM2 Flood Risk
 W DM3 Sustainable Urban Drainage Systems

Barnham & Eastergate Neighbourhood Plan 2014 POLICY CLW2	Support for new medical facilities
Barnham & Eastergate Neighbourhood Plan 2014 POLICY CLW4	Provision of allotments
Barnham & Eastergate Neighbourhood Plan 2014 POLICY CLW8	Provision and improvement of school facilities
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES1	Applications for new development must meet the local drainage requirements
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES10	Trees and hedgerows
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES5	Quality of design
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES6	Contribution to local character
Barnham & Eastergate Neighbourhood Plan 2014 POLICY ES8	Buildings should be designed to reflect the three-dimensional qualities of traditional buildings
Barnham & Eastergate Neighbourhood Plan 2014 POLICY GA1	Connection to sustainable transport
Barnham & Eastergate Neighbourhood Plan 2014 POLICY GA2	Footpath and cycle path network
Barnham & Eastergate Neighbourhood Plan 2014 POLICY GA3	Contributions to maintain and improve the network
Barnham & Eastergate Neighbourhood Plan 2014 POLICY GA4	Parking and new development
Barnham & Eastergate Neighbourhood Plan 2014 POLICY H1	Specific site allocation
Barnham & Eastergate Neighbourhood Plan 2014 POLICY H3	Housing mix
Barnham & Eastergate Neighbourhood Plan 2014 POLICY H7	Drainage for new housing

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

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.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017 and has now concluded. The District Council is awaiting the Inspector's report which is due out in Spring 2018. The Main Modifications to the Arun Local Plan and evidence base are being made available for public consultation. Representations were submitted to the Council over a six week period starting on Friday 12 January until 5pm on Friday 23 February. This followed on from the Arun Local Plan examination hearings held in September 2017.

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

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

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

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

The development is considered to comply with the relevant Barnham & Eastergate NDP policies.

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 variation of condition is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area. And would still ensure the protection of protected species on site.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The only element of the development for consideration is the variation of condition 12 and impact on biodiversity and protected species. The officers report for EG/71/14/OUT covers other planning issues which are not varied by this application.

The variation of condition is considered to meet the requirements of saved policy GEN29, emerging policy ENV DM5. As it will still ensure the protection of species in line with the previous condition, which is agreed by the Council's Ecologist.

Final condition wording will be varied slightly from the requested wording to allow the condition to meet the 5 tests set out in the NPPF paragraph 206.

The application is recommended for conditional approval.

HUMAN RIGHTS ACT

Human Rights Act:

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

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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

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

SECTION 106 DETAILS

The S106 approved by EG/71/14/OUT includes a clause that it will still apply to any other subsequent applications for the development, so will still apply. Summary of S106:

WSSC Obligation:

The figures below are indicative at this stage, the formula for each of the contributions should be as set out within the attached document from WSSC:

- Libraries: £12,438
- Fire and Rescue: £1,372 + provision of 2 fire hydrants
- Primary Education: £126,434
- Signalised pedestrian crossing point on Barnham Road in the vicinity of the development/village hall/medical centre (cost/provision tbc)
- Improvements to local bus stops - full details have not been provided, further comment requested from WSSC as to what these improvements would consist of. If new bus shelters are to be provided, a commuted sum for maintenance will be required also, payable to the District Council which I can provide.

District Council Obligations:

- Affordable Housing - 30% with an 80/20 split of social rented/shared ownership
- Provision of 4.4 hectares of public open space to include;
 - * Locally Equipped Area of Play - Minimum of 400 square metres, final details of equipment to be agreed with the LPA prior to commencement
 - * Provision of community allotments and parking
- Details of the future management and maintenance of the public open space and package treatment plant and financial responsibilities for the package treatment plant.
- Healthcare - £28,342 (This equates to an average of £472 per house, £204 per person)

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The permission hereby granted is an outline permission under Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 and an application for the approval of the Local Planning Authority to the following matters must be made not later than the expiration of 3 years beginning with the approval date 03-02-2015 of permission EG/71/14/OUT:-

- (a) Layout;
- (b) Scale;
- (c) Appearance;
- (d) Landscaping.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be begun either before the expiration of 5 years from

approval date 03-02-2015 of permission EG/71/14/OUT of this permission, or before expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

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

- Proposed Site Access Arrangement - Drawing No. ITB 9227 - GA - 003 Revision D
- Site Location Plan - Drawing No. 1178/01

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.

- 4 The burning of materials obtained by site clearance or from any other source shall not take place within 6 metres of the furthest extent of the canopy of any tree or group of trees to be retained on the site or on land adjoining.

Reason: To protect trees and vegetation from fire damage in the interests of the visual amenities of the locality.

- 5 No development shall be carried out unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority. A 'statement of detail' shall be submitted setting out details of proposed windows and doors, details of the depth of recess/reveal from the brickwork, sills and lintels, brick bonding, brick detailing, eaves detailing and rainwater goods. The materials and 'statement of details' so approved shall be used in the construction of the buildings.

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

- 6 (a) Prior to the commencement of development or other operations being undertaken on site a scheme for the protection of the retained trees produced in accordance with BS5837:2012 (Trees in relation to design, demolition and construction: Recommendations), which provides for the retention and protection of trees, shrubs and hedges to be retained on or adjacent to the site, including trees which are the subject of a Tree Preservation Order currently in force, shall be submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.

(b) No operations shall be undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.

(c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.

(d) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

Reason: To ensure the continued well-being of the trees in the interests of the amenity of the locality.

- 7 No part of the development shall be first occupied until the vehicular access serving the development has been constructed in accordance with the approved planning drawing, Drawing No. ITB 9227 - GA-003 Revision D (Proposed Site Access Arrangement).

Reason: In the interests of road safety.

- 8 No part of the development shall be first occupied until visibility splays of 2.4 metres by 57 metres to the east and 58 metres to the west have been provided at the proposed site vehicular access onto Barnham Road in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety

- 9 No part of the development shall be first occupied until the car parking spaces have been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide car-parking space for the use.

- 10 No part of the development shall be first occupied until the road(s), footways, and casual parking areas serving the development have been constructed, surfaced and drained in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To secure satisfactory standards of access for the proposed development.

- 11 No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works,
- the hours of work.

Reason: In the interests of highway safety and the amenities of the area

- 12 The plans and particulars submitted in support of the reserved matters application shall

include the following ecological details:

- a Construction Environmental Management Plan incorporating the avoidance and mitigation recommendations set out in Eastergate Ecological Summary report by Hankinson Duckett Associates, dated August 2014, ref 2136.9
- a detailed lighting plan showing measures to be used to avoid illumination of boundary habitats, and proposed areas of open space, in order to avoid disturbance to bats (showing modelled areas of light spill and predicted lux levels);
- full details of the outlined enhancements recommended in the above ecological report and shown on the Ecological Proposals drwg ref 2136.9/1, fig 8, dated July 2014; and
- a management plan to ensure the long-term viability of new and existing habitats.

No development shall proceed until the above details have been approved by the Local Planning Authority in strict accordance with them.

No development within any phase shall commence if more than 24 months has elapsed between the approved date of the previous protected species surveys (relating only to roosting bats, badgers, reptiles and dormice) and the date on which development within the phase is commenced, unless an updated protected species survey has been carried out by a suitably qualified ecologist and a report confirming the results and implications of the assessment, including any revised mitigation measures, has been submitted to and approved in writing by the Local Planning Authority. The revised mitigation measures shall be implemented and retained in perpetuity.

Reason: To ensure that the proposals avoid adverse impacts on protected and priority species and contribute to a net gain in biodiversity, in accordance with 109 and 118 of the NPPF, saved policy Arun District Local Plan Policy GEN19 and emerging Arun Local Plan (Main Modifications January 2018) policy ENV DM5.

The condition is required to be pre-commencement to allow for the protection of species on site which would be impacted should development have commencement prior to the condition being discharged.

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

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

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

No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details.

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

- 14 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 details of financial

management and arrangements for the replacement of major components at the end of the manufacturers recommended design life. Upon completed construction of the SuDs System, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

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: C697 Chapter 22

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

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

- 16 An archaeological investigation of the site shall be carried out at the expense of the developer in accordance with a specification (written scheme of investigation) to be submitted to and agreed by the Local Planning Authority in writing before the commencement of building works.

Reason: To ensure appropriate investigation and recording of archaeological heritage assets on the site prior to commencement of new building works.

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

Reason: To ensure suitable provision for all potential occupiers in accordance with paragraph 42 of the NPPF.

- 18 The landscape details referred to in Condition 1 shall include details of all existing trees and hedgerows on the land indicating which are to be retained and which removed. Development shall be carried out in accordance with the approved details. No hedge or tree shall be felled, uprooted or otherwise removed before, during or after the construction period except where removal is indicated on a plan approved by the local planning authority.

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

- 19 The landscape details referred to in Condition 1 shall include full details of the position, design, materials, height and type of boundary treatment to be provided. The boundary treatment shall be provided to each dwelling before the dwelling is occupied or in accordance with the approved phasing plan. Development shall be carried out in accordance with the approved details.

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

- 20 Landscaping (hard and soft) shall be carried out in accordance with the approved details. All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding seasons following the first occupation of each phase or sub phase of the development hereby permitted or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the phase or sub phase 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.

- 21 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources. 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.

- 22 No dwelling shall be occupied until refuse and recycling bins have been provided and space has been laid out for the storage in relation to that dwelling in accordance with details that shall have been submitted to and approved in writing by the local planning authority. Thereafter these areas shall not be used for any purpose other than the storage of refuse and recycling bins.

Reason: In the interests of the amenity of occupiers of nearby properties in accordance with Arun District Local Plan policy GEN7.

- 23 Garages provided on the site shall measure a minimum of 6m x 3m internally.

Reason: To ensure that adequate and satisfactory provision is made for the parking (and garaging) of vehicles clear of all highways in accordance with policy GEN7 of the Arun District Local Plan

- 24 INFORMATIVE: Section 278 Agreement of the 1980 Highways Act - Works within the Highway
The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

- 25 INFORMATIVE: The discharge of treated sewage effluent requires a Permit from the Environment Agency under the Environment Permitting Regulations, 2010. A detailed assessment will be undertaken as part of the permitting process. This will include a thorough assessment of the justification for non mains drainage. The environmental acceptability of the discharge on the receiving waters will also be fully determined as part of the permitting process.

- 26 INFORMATIVE: The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Southern Water, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel:

0330 303 0119) or www.southernwater.co.uk.

- 27 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 28 INFORMATIVE: Section 106 legal agreement agreed under EG/71/14/OUT applies to this approval.