

Recommendation Report for Planning Permission

REF NO: FG/184/21/PL

LOCATION: 1 Greenways Crescent
Ferring
BN12 5EF

PROPOSAL: Erection of replacement dwelling and garage

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above.

The replacement dwelling would be detached, 1.5 storeys with ground floor and roof level accommodation, and would have a gable ended roof, with an eaves height of 2.2m and a ridge height of 6.7m. The proposed new dwelling would be constructed with a combination of light render, natural stonework and grey timber finish cladding, grey fibre cement slated tiled roof, and dark grey UPVC window and door frames. The footprint of the new building would be similar overall to that of the existing dwelling it would replace. It would now be positioned (in revised drawings, see note below) to align with the front building line of the existing dwelling, which is set back from the road Greenways Crescent by around 7m, with a separating grass verge. The replacement property would be orientated east-west as the existing property currently is.

The proposals include a hardstanding driveway in dark grey resin bound to the front (east), a hardstanding driveway and detached garage building with attached shed for cycle and refuse storage to the rear (west) and garden areas to the south and east. The garage building would be single storey, have a dual-pitched roof with a ridge height of 4.7m, and would be constructed of the same materials as the new house. The attached cycle/bin storage shed would be single storey, have a flat roof with a height of 2.2m and be constructed with brickwork elevations and felt flat roof.

The drawings have been amended and re-consulted on during the determination period of the current application. The main changes with the revised drawings are as follows;

- Repositioning the replacement dwelling 2m further southwards away from the road (Greenways Crescent) than the previous proposed replacement dwelling which was positioned closer to the road.
- Removal of the first floor gable end window to the north

elevation facing toward Greenways Crescent.
 - Reduction in the size of the entrance lobby on ground and first floor.
 - Reduction in the width of the study.

SITE AREA	0.13 hectares.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	7.7 dph.
TOPOGRAPHY	Predominantly flat.
TREES	Combination of significant mature trees (including Monterey Pine T30), smaller category C and U trees, and shrubs/vegetation. The site is subject to an Area Tree Preservation Order (TPO).
BOUNDARY TREATMENT	Open verge onto Greenways Crescent to north and east. Close board timber fencing along western and southern boundaries. Vegetation and trees along parts of northern and eastern boundary.
SITE CHARACTERISTICS	Existing detached 1.5 storey dwelling, with ground floor and roof level accommodation. White painted render elevations, mock-Tudor gable timberwork, clay tile roof, green/blue painted timber windows and doors. Attached single storey garage. Garden land with trees and vegetation. Some hardstanding. Property appears to have been vacant for some time and is in somewhat of a dilapidated state with garden overgrown. This property is the original 1920/30s property on the site, prior to the development of the cul-de-sac of 1960s bungalows on Greenways Crescent.
CHARACTER OF LOCALITY	Residential cul-de-sac. Comprises single storey 1960s bungalows of a similar design with brick and render elevations and concrete tiled dual pitched roofs. Open frontages, front gardens and driveways with properties set back from the road. Rear/side gardens.

RELEVANT SITE HISTORY

FG/65/17/T	Crown lift of 6 lower branches to 1 No. Monterey Pine tree.	Refused 11-07-17
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REPRESENTATIONS

Ferring Parish Council -

Original submission:
 No objection.

Concerns that windows on first floor south elevation will give rise to overlooking to neighbouring gardens. Appear to serve non-habitable rooms, so request any approval is conditional on these windows being obscure-glazed and fixed-shut to a height of 1.7m.

Revised submission:

No further comments received.

7 letters of objection were received in respect of the original submission, summarised as follows -

- Northern elevation of replacement dwelling will be closer to road than existing dwelling, which will result in it being very close to the verge over which there are pedestrian rights of way, inconsistent with position and front building line of established properties in close which are all set back more from the road, and vertical elevation/mass/bulk so close to the road instead of existing sloping elevation would result in new building being visually prominent, dominant, imposing, overbearing and harmful within context of the close. Harm to street scene.
- Proposed part stone elevations would be inconsistent with other properties in the close which are constructed of red brick. Overall style of new house is out of keeping with the 1960s bungalows in the close. Adverse impact on established character of close and street scene.
- Pitched roof to garage not in keeping with character of the close.
- Overbearing impact on properties opposite in close.
- Loss of morning light to gardens of no.2, 3 and possibly 4.
- Ground floor west-facing window to the proposed 'snug' will protrude forward of existing boundary fence between nos. 1 and 2 and to avoid overlooking to no.2 (and 3, 4 and 5) may require extension to boundary fence which would then breach the grass verge/rights of way.
- Large glass windows on northern elevation are intrusive and overlook the properties to the northern side of the close, nos. 7 and 8 bedroom windows.
- Pitched roof and height of garage overbearing to no.2 given its proximity to boundary.
- Pedestrian safety/well-being concern from loss of grass verge.
- Should permission be granted, request that a Construction Management Plan be required, given narrowness of road and tree-lined nature and to ensure neighbours can access and egress their properties without issues with construction vehicles parking.

1 further representation received in respect of the revised submission.

- Proposal remains bulky
- Pleased to see removal of large expanse of glazing and impact slightly reduced by moving the development further back on the plot
- Want a Construction Management Plan agreed with applicant (suggested details contained in the letter) relating to traffic movements, access and fencing
- Proposal not in keeping with adjoining properties

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and addressed in Conclusions section of report.

Construction Management Plan is proposed at condition 6

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADC Environmental Health -

No objection.

Recommend planning conditions; standard construction hours, Construction Management Plan, unsuspected land contamination and asbestos.

WSCC Highways:

No objection.

Recommend planning conditions and informative as follows; construction of car parking spaces in accordance with the approved plan, provision of covered and secure cycle parking in accordance with the approved plan, electric vehicle charging provision in accordance with plans to be submitted to and approved by the LPA, and an informative advising that the applicant will require formal consent from the owner of the private road before carrying out access works. Comments remain same in respect of revised drawings, since parking provision and site access remains the same.

ADC Drainage Engineer -

No objection.

Due to the location, scale and type of application they have no drainage conditions to request. They advise that any alterations to surface water drainage must be designed and constructed in accordance with Building Regulations. Note that a Foul and Surface Water Drainage Statement has been supplied with the application, and that the Building Inspector should note that the proposed design is based upon assumed infiltration rates, since no groundwater monitoring or infiltration testing has been undertaken.

Southern Water -

The attached extract from Southern Water records shows the approximate position of an existing SW sewer in the vicinity of the development site. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.

Request planning condition that the developer must agree with Southern Water, prior to commencement of the development, the measures to be taken to protect the public sewers. Standard advisories in respect of action if public sewer found on site and formal application required to SW to connect to the public sewer. Comments remain unchanged and valid in respect of the revised drawings.

ADC Tree Officer -

No objection.

Recommend approval of the scheme, subject to planning conditions to ensure all protective fencing and ground protection measures have been inspected and are fit for purpose, and that all activity is to be undertaken in strict accordance with the approved Arboricultural Report. No further comments received in respect of revised drawings.

Ecology Officer -

No objection.

Recommend planning conditions to protect bats, reptiles, wild nesting birds and hedgehogs and to promote Net Biodiversity Gain on site. Comments remain same based on revised drawings.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and addressed in Conclusions section of report.

POLICY CONTEXT

Designation applicable to site:
 Built-Up Area Boundary (BUAB)
 Prone to groundwater flooding
 Area Tree Preservation Order (TPO)
 CIL Zone 4

DEVELOPMENT PLAN POLICIESArun Local Plan 2011 - 2031:

SDSP2	SD SP2 Built-up Area Boundary
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QEDM3	QE DM3 Air Pollution
QEDM4	QE DM4 Contaminated Land
QESP1	QE SP1 Quality of the Environment
ECCDM1	ECC DM1 Renewable Energy
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WDM1	WM DM1 Waste Management
WSP1	W SP1 Water
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
ENVSP1	ENV SP1 Natural Environment

Ferring Neighbourhood Plan 2014 Policy 10

Sustainable water management

Ferring Neighbourhood Plan 2014 Policy 1A

A Spatial Plan for the Parish

PLANNING POLICY GUIDANCE:

NPPDG	National Design Guide
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

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

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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

The policies contained within the Ferring Neighbourhood Plan (made 2014) are relevant in the determination of this application.

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."

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

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

The proposals comply with the Development Plan, having an acceptable impact on visual amenity, residential amenity, quality of new residential accommodation, sustainability, parking, drainage, trees and ecology, subject to appropriate planning conditions.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to be weighed in the balance with the Development Plan. This is in the form of the Council's current lack of a 5 year housing land supply which means that for applications for the provision of housing the NPPF's 'presumption in favour of sustainable development' is engaged. As such, an assessment must be first made as to whether the proposed development represents 'sustainable development' and then, in the case of any conflict with the Development Plan, the tilted balance of the 'presumption in favour' must be applied to assess if there would be any harm to designated assets which would warrant a refusal or if the adverse impacts of granting development would significantly and demonstrably outweigh the benefits of the scheme.

CONCLUSIONS

KEY ISSUES:

The key issues in the determination of this planning application are as follows;

- Impact on visual amenity.
- Impact on residential amenity.

Other matters of consideration include; quality of new accommodation, sustainability, parking and highways, drainage, and impact on ecology and trees.

PRINCIPLE OF DEVELOPMENT:

The site is located within the Built-Up Area Boundary (BUAB), where new development should be focussed, according to policy SD SP2 of the Arun Local Plan (ALP).

Policy 1A of the Ferring Neighbourhood Plan (FNP) states that "Proposals for development located inside the built up area boundary will be supported, provided they are suited to an urban setting and they accord with the provisions of the Neighbourhood Plan and with other relevant development plan policies".

As such, this proposal for a replacement dwelling within the BUAB is acceptable in principle and would be considered 'sustainable development', according with policy SD SP2 of the ALP and policy 1A of the FNP.

VISUAL AMENITY:

Para 124 of the National Planning Policy Framework (NPPF) 2021 states that planning decisions "should support development that makes efficient use of land, taking into account..." amongst other things "(d) the desirability of maintaining an area's prevailing character and setting (including residential gardens)". Para 130 requires that applications for developments (b) are visually attractive as a result of good architecture and (c) are sympathetic to local character and history, including the surrounding built environment. Para 134 states "Development that is not well designed should be refused".

Policy D SP1 of the ALP states development should seek to make efficient use of land but reflect the characteristics of the site and local area. ALP policy D DM1 looks at aspects of form and design quality, including; character, appearance, density, scale, innovation, adaptability, residential amenity impact, trees and crime prevention. New buildings should be harmonious with their surroundings and successfully integrate with the surrounding environment.

Arun District Council Design Guide SPD (2021) provides detailed design guidance for developments in the District. This includes Section P.01 on Infill Development which provides detailed guidance on the redevelopment of sites.

There are no specific policies in the Ferring Neighbourhood Plan in respect of design except for site allocations, in Conservation Areas and Areas of Special Character. However, its objectives promote "Appropriate well designed development in accordance with policies in this Plan and the Arun District Plan and South Downs Plan", "To plan and deliver a range of well-designed housing mix and types" and "Sustainable, well designed development and reduction in resource use".

The footprint of the new building would be similar overall to that of the existing dwelling it would replace. It would now be positioned (in revised drawings) to align with the front building line of the existing dwelling, which is set back from the road Greenways Crescent by around 7m, with a separating grass verge. The replacement property would be orientated east-west as the existing property currently is.

The existing dwelling is positioned at the entrance of the cul-de-sac on the left hand (southern) side. This, and its differing orientation (east-west) with its side elevation addressing the road (Greenways Crescent) rather than the bungalows orientation (north-south) whose front elevations address the road, and the application property's different age and design as the original house in the close, mean that it is already somewhat visually set apart from the other properties within the cul-de-sac.

The overall footprint, alignment with the street and orientation of the replacement dwelling would be similar to the existing dwelling. The ridge height of the replacement dwelling (6.7m) would not be higher than that of the existing dwelling (6.9m), however there would be an increase in overall mass and bulk at first floor/roof level in the proposed scheme. This would be visually acceptable, given the location of the site on the corner/end of the close on the southern side, and given the smaller/narrower face (side elevation) on the building would front onto the road. The gable end roof forms of the replacement

dwelling would reflect the gable end roof form of the existing dwelling on site and that of other buildings within the close. It would introduce more gable ends (4 in total) and a gable end roof form to the side elevation fronting onto the road, which is currently a pitched roof form sloping away from the road on the existing dwelling. The gable end here would differ from the existing dwelling and from the other bungalows within the close which all have pitched roofs sloping away from the road frontage. However, the new building would still be set back to the same building line as the existing with considerable verge (around 7m) separating it from the road. This building set back, the fact that the smaller/narrower face (side elevation) of the building would address the road, and its ridge height being no higher than existing, means this change and difference in roof form would not be so visually prominent as to be significantly harmful to the street scene.

The overall contemporary design approach and materiality of the replacement dwelling would be very different both from the existing dwelling on site and the surrounding 1960s bungalows in the close. However, as already described above, the existing building is already somewhat visually set apart from the rest of the properties in the cul-de-sac, by reason of its different age, style and materiality, its siting on the entrance/end plot, and its differing orientation. In addition, there is not an in principle objection to the contemporisation and evolution of buildings in planning terms as architectural approaches evolve over time. As such, while acknowledged that the new building would take a very different approach to design and materiality to the existing dwelling and the established character of other properties in the close, for the reasons set out above, this difference is not considered to be so visually harmful in and of itself as to warrant a refusal.

In conclusion, the proposed scheme would have an acceptable visual impact on the appearance of the street scene and visual amenity of the area, and accord with the NPPF and policies D SP1 and D DM1 of the Arun Local Plan. To ensure the visual quality of the materials and finishes to be used for the new building, a planning condition will be used to secure these details.

RESIDENTIAL AMENITY:

Para 130 (f) of the NPPF states development should have a high standard of amenity for existing and future users.

Policy D DM1 of the ALP states new development will have minimal impact to users and occupiers of nearby property and land, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance. QE SP1 states the Council requires development to contribute positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity. Policies QE DM1, QE DM2, QE DM3 and QE DM4 relate to noise, light, air and land pollution and the need for impacts from development to be controlled.

The ADC Design Guide SPD includes detailed guidance on the protection of residential amenity, including setting out the required distances between properties to accord with the 45 and 25 degree tests for daylight/sunlight (Section G.03), required separation distances between habitable rooms to ensure privacy (Section H.04), measures to maintain privacy (Section J.02) and minimisation of impacts of noise and overshadowing (Section J.06).

There are no specific policies in the Ferring Neighbourhood Plan in respect of residential amenity.

In terms of potential overbearing and overshadowing and loss of outlook and light to neighbouring properties, the ridge height of the replacement dwelling (at 6.7m) would be lower than that of the existing dwelling (at 6.9m), however there would be an increase in overall mass and bulk at first floor/roof level as a result of the proposed scheme.

On the eastern side of the new building, there are no neighbouring properties, given the site's corner plot location at the entrance to the close on this side. On the western side of the new dwelling, there is a bungalow no.2 Greenways Crescent, with its front garden, integrated garage, front bathroom/toilet window, a side window and door serving the garage and a rear garden room, nearest the boundary with the application site. Planning permission was recently granted (ref. FG/33/20/HH) for the garage conversion to a kitchen with a front window replacing the garage door and the side window/door serving the new kitchen, and the garden room replaced with a new kitchen extension. It is unclear if this planning permission has been implemented or is completed. Notwithstanding, the proposed replacement dwelling at the application site would not be higher than the existing ridgeline of the current dwelling, and although it would have greater mass and bulk at first floor/roof level, given its significant set back (8m) from the side boundary to no.2 and that it would have a pitched roof (eaves height of 2.3m) sloping away from this boundary, it would not have a significant or materially harmful overbearing or overshadowing impact and would maintain acceptable levels of outlook and light to no. 2. Whilst it is acknowledged there may be some loss of morning sunlight to the front gardens of adjacent properties to the west at nos.2 and 3, given the new building's separation distance and overall scale this would not be materially significant and the front gardens do not form the primary outdoor amenity to these properties in any case. In terms of the new garage, the closest side window/door at no. 2 serve a garage or kitchen (non habitable rooms or non primary/sole openings) such that there would be no significant loss of outlook or light to occupants in this respect. Whilst there may be some loss of outlook to the existing rear garden room (if FG/33/20/HH has not been implemented) at no.2 as a result of the new garage given its proximity to the boundary and its pitched roof form, given the garden room has windows/doors on all 3 sides, any loss of outlook on this one side nearest the application site is not considered significantly detrimental to the enjoyment of no.2.

To the north, the narrow side elevation of the new dwelling would face the road and would be some significant distance away (around 20m) from the properties opposite (nos. 7 and 8 Greenways Crescent) so would not result in any undue loss of outlook or light to these neighbours. To the south, the replacement dwelling would project a further 3.5m or so southward than the existing dwelling. However, given the distance of the new building from the boundary (around 7.4m) with gardens at the rear and its distance from these properties (around 14m to no.49 Sea Lane Gardens and 37m from 51 Sea Lane Gardens), it would not result in any undue loss of outlook or light to these neighbouring properties or gardens.

In terms of overlooking and loss of privacy, the majority of habitable room windows and doors will be located on the eastern elevation of the new building and oriented facing into the plot and away from neighbouring properties, thus avoiding any undue overlooking and loss of privacy. On the western elevation, at ground floor level, there would be a high level window serving a pantry, a door serving a boot room (non-habitable room) and 2 windows serving a snug (habitable room). These would face toward the boundary with no. 2. However, given their distance from the boundary (around 8m) with no.2, the boundary treatment as close board timber fence panels, these windows orientation across the front garden to no.2, and that there are existing side facing habitable room windows at the current property, it is concluded that they would not give rise to intrusive or additional angles of overlooking nor result in a harmful loss of privacy to no.2. The first floor openings on this side would all consist of rooflights within the roof slope mostly at ceiling height and given their height and sky-ward orientation these would not result in any undue angles of view. Although one rooflight is set at a lower level, this would seem to serve an eaves storage room only (non habitable room) or be a high level rooflight to the kitchen below. It is noted the existing property has a side facing first floor bedroom (habitable room window) so there would actually be a reduction in overlooking toward no.2 as a result of the replacement scheme.

To the north, the revised drawings now show no first floor windows within this gable end, and notwithstanding, this elevation would be some considerable separation distance (around 20/21m) from the properties opposite (nos. 7 and 8) so there would be no overlooking to these neighbours. To the south, two high level gable end windows at first floor/roof level are shown, however these would be at

ceiling height and serve a dressing room and en-suite (i.e. non-habitable rooms). Notwithstanding, for the avoidance of doubt these can be conditioned to be obscure glazed and fixed shut up to a minimum height of 1.7m. As such, there will be no overlooking to neighbours in the south of the site.

ADC Environmental Health have raised no objection to the application, but have recommended planning conditions in respect of standard construction hours, Construction Management Plan, unsuspected land contamination and asbestos, to avoid harmful noise, light, air and land contamination impacts on local residents. These conditions will be applied accordingly.

In conclusion, the proposals would have an acceptable impact on residential amenity of neighbouring occupants, in accordance with the NPPF, policies D DM1 and QE SP1 of the Arun Local Plan and the ADC Design Guide SPD.

QUALITY OF NEW ACCOMMODATION:

Policy D DM2 of the Arun Local Plan requires internal spaces to be an appropriate size to meet the requirements of all occupants and their changing needs. Section J.08 of the ADC Design Guide SPD reiterates the need to comply with the national internal space standards. The "Nationally Described Space Standards" provide the current guidance on minimum internal space standards. The application proposes a 2 storey, 3 bedroom, 6 person dwelling.

The minimum Gross Internal Area (GIA) for which, according to the standards, would be 102sqm with 2.5sqm built-in storage. The proposed floor plans indicate a GIA which would well exceed these national internal space standards. The proposals would thus comply with policy D DM2 of the ALP and the ADC Design Guide SPD.

The proposed window and door openings would provide good levels of natural light and ventilation to the primary living spaces.

There are no specific policies in the Arun Local Plan or the Ferring Neighbourhood Plan with regard to external amenity space. Section H.04 of the Arun Design Guide SPD advises that outdoor amenity spaces should be of an appropriate size and shape and be usable and enjoyable for occupants. It sets out a minimum depth of 10.5m for rear gardens. The replacement home would have a similar overall building footprint as the existing dwelling, and would be provided with a front, rear and side garden to the eastern part of the plot, in a mix of hard and soft landscaping. Whilst the rear garden to the south would be limited in size and space and the eastern part mainly consists of trees, this is the existing situation currently, and the existing plot would be cleared of some vegetation and trees to provide some more usable space. The hardstanding would provide patio areas for future occupant's sitting, relaxation, and dining and there would be some degree of soft landscaping, with albeit limited lawned areas, but with a pleasant sylvan aspect and wooded areas. It is concluded there would be adequate external amenity space to serve the occupants of the replacement dwelling, when the existing situation is taken into account.

Policy WM DM1 of the Arun Local Plan requires new residential development to ensure that kerbside collection is possible for municipal waste vehicles and bin storage provision is made as follows:- Each unit should be provided with the equivalent of 240 litres of residual waste storage/bins. The same amount of storage space/bins for recyclable materials is required to be provided. It is recommended that any waste storage provision is located near or adjacent to the highway, so that the maximum refuse pulling distances and refuse vehicles access requirements are complied with. Section H.07 of the Design SPD, requires that attractive bin storage (providing screening for bins) should be integrated into the design of new housing. The Proposed Site Plan shows the provision of a separate bin storage shed, and kerbside collection could take place from Greenways Crescent as existing. A planning condition can be used to

secure 2 x 240l wheelie bin provision for refuse and recycling to serve the dwelling.

SUSTAINABILITY:

Policy ECC SP2 of the Arun Local Plan requires all new residential development to be energy efficient and to demonstrate how they will:

- a. Achieve energy efficiency measures that reflect the current standards applicable at the time of submission;
- b. Use design and layout to promote energy efficiency; and
- c. Incorporate decentralised, renewable and low carbon energy supply systems, for example small scale renewable energy systems such as solar panels.

A Energy & Sustainability Statement (prepared by Blewburton Ltd., dated 21st May 2021) has been submitted with the application. It is noted that this refers to the previous original scheme drawings, however the principles proposed remain the same; largely insulation, potential use of an Air Source Heat Pump and solar panels, energy efficient white goods, electricity and water use monitors, water conservation measures, and the use of sustainable materials and construction methods.

A planning condition is to be used to secure these measures set out in the Energy Statement and meet the target that least 10% of the energy demand of the new dwelling is generated by renewable, low carbon and/or decentralised sources or a fabric first approach utilised, to ensure compliance with policy ECC SP2 of the ALP.

PARKING AND HIGHWAYS:

Para.110 of the NPPF states in assessing specific applications for development it should be ensured that (b) safe and suitable access to the site can be achieved for all users. Para. 111 of the NPPF states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Policy T SP1 of the Arun Local Plan requires development proposals to provide safe access on to the highway network and to incorporate appropriate levels of parking in line with adopted planning policies. ALP policy T DM1 requires development to make provision for facilities for sustainable modes of transport such as cycling, to meet the parking standards, including cycle storage. The ADC Design SPD (Sections I.01, I.02 and I.03) includes guidance on the provision and design of car parking, electric vehicle bays and charging points, and cycle parking.

Ferring Neighbourhood Plan has no specific policies in respect of highways and parking for residential developments.

The Local Highways Authority (WSCC) have provided comments, summarised as follows;

The site is located on Greenways Crescent, which is a privately maintained road, consequently the comments from the LHA are for advice only. The nearest publicly maintained road is Sea Lane (C classified road subject to a 30mph speed limit).

The proposed plans demonstrate that a new additional access to the site from Greenways Crescent will be provided to serve the proposed dwelling. This will result in 2 accesses serving the site. As a privately maintained road the applicant is advised to obtain formal permission from the proprietor of Greenways Crescent for the access works. No alterations to the junction with Sea Lane are proposed. The proposed

replacement dwelling is not anticipated to result in a material intensification of use of (and trips to and from) the site.

The proposed plans demonstrate that 3 parking spaces will be provided on site, this includes a single garage. This exceeds the ADC Parking SPD standards for a 3 bed dwelling in this location which requires 2 car parking spaces on site. The proposed floor plan drawing indicates that the garage measures 3.8 x 5m. This does not meet the minimum internal specifications of 3 x 6m for a single garage as set out in Manual for Streets (MfS). However the LHA appreciate that a smaller sized vehicle could utilise the garage as proposed and would not raise any highway safety concerns with this. In addition the proposed plans indicate that there is sufficient space on the proposed driveways to accommodate additional parking if required. The plans also demonstrate that the vehicles can turn on site and exit onto the public highway in a forward gear.

The plans demonstrate that a 3 x 3m cycle storage/bin storage shed will be provided. The LHA is satisfied that this will provide sufficient secure and covered cycle storage (2 cycle parking spaces required for 3 bed house).

In the interests of sustainability and as result of the Government's 'Road to Zero' strategy for at least 50% of new car sales to be ultra-low emission by 2030, electric vehicle (EV) charging points should be provided for all new homes. The LHA acknowledges the proposed plans demonstrate a single EV charge point within the proposed garage. The applicant is advised that for dwellings with an off-street parking provision (houses with a driveway or garage), 100% of parking spaces should be provided with active EV provision in accordance with the Arun Parking Standards (adopted January 2020).

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore it is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

If the LPA is minded to approve the application, the following conditions and informative should be applied: construction of car parking spaces in accordance with the approved plan, provision of covered and secure cycle parking in accordance with the approved plan, electric vehicle charging provision in accordance with plans to be submitted to and approved by the LPA, and an informative advising that the applicant will require formal consent from the owner of the private road before carrying out access works.

In conclusion, subject to planning conditions, the proposals would provide safe and suitable site access, would have an acceptable impact on highways operation and safety, and would provide adequate parking provision and promote sustainable modes of transport, in accordance with the NPPF, policies T SP1 and T DM1 of the Arun Local Plan, the ADC Design SPD and the ADC Parking SPD.

DRAINAGE:

ALP policy W DM2 sets out the requirements for development in areas at risk of flooding, including; the need for the sequential test, an FRA, adaptation and mitigation measures, flood warning and evacuation plans and site drainage plans. ALP policy W DM3 states that all development must identify opportunities to incorporate a range of Sustainable Urban Drainage (SUDs) systems. The ADC Design Guide SPD (Section K.04) requires that development incorporate Sustainable Drainage Systems (SUDs) and flood risk mitigation.

Policy 10 of the Ferring Neighbourhood Plan states that "Proposals for development that are able to demonstrate that their sustainable drainage design features will be effective in managing the risk of surface water flooding within and beyond their boundary will be supported and may incorporate one or

more of the following solutions: permeable driveways, water harvesting and storage, green roofs, soakaways...".

The site is in Flood Zone 1 (lowest risk of flooding) and the plot is smaller than 1 hectare. As such, a Flood Risk Assessment nor flood mitigation measures are required in this case. The site is in an area prone to groundwater flooding.

A Foul and Surface Water Drainage Statement (prepared by cgs civils, dated 26th May 2021) has been submitted with the application.

The Council's Drainage Engineer has commented that due to the location, scale and type of application they have no drainage conditions to request. They advise that any alterations to surface water drainage must be designed and constructed in accordance with Building Regulations. They also note that a Foul and Surface Water Drainage Statement has been supplied with the application, and that the Building Inspector at Building Control stage should note that the proposed design is based upon assumed infiltration rates, since no groundwater monitoring or infiltration testing has been undertaken. Notwithstanding these comments, in order to ensure SUDs are incorporated into the scheme in accordance with policy W DM3 of the ALP and policy 10 of the FNP, a planning condition will be applied requiring a SUDs plan.

Southern Water has provided comments summarised as follows;

The attached extract from Southern Water records shows the approximate position of an existing SW sewer in the vicinity of the development site. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised. The LPA note that an informative will be added accordingly in respect of this matter.

SW provide standard advisories in respect of clearance of public sewers and it is also advised that it is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site. Request a planning condition is required that the developer must agree with Southern Water, prior to commencement of the development, the measures to be taken to protect the public sewers.

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer to SW.

In conclusion, the proposals, subject to planning conditions will be adequately drained and not result in flood risk on site or elsewhere, in accordance with the NPPF, policies W DM2 and W DM3 of the Arun Local Plan and policy 10 of the Ferring Neighbourhood Plan.

TREES:

ALP policy ENV DM4 seeks to protect trees with TPOs, identified as Ancient Woodland, in Conservation Areas, or that contribute to local amenity.

There are a combination of significant mature trees (including Monterey Pine T30), smaller category C and U trees, and shrubs/vegetation on plot. The site is subject to an Area Tree Preservation Order (TPO).

The Council's Tree Officer has commented as follows;

The applicants have employed Duckworths Arboriculture to prepare an Arboricultural Impact Assessment & Method Statement (AIA/MS) along with a Tree Protection Plan for this project. The Tree Survey data is comprehensive and accords with the requirements of BS5837:2012. Trees of low quality and landscape value are (and will inevitably have) to be sacrificed for this scheme. The AIA/MS gives clear instruction for the implementation of adequate replacement planting around the site. The package of tree protection measures is sufficient to ensure retained trees have an opportunity to flourish post-development. Recommend approval of the scheme, subject to planning conditions to ensure all protective fencing and ground protection measures have been inspected and are fit for purpose, and that all activity is to be undertaken in strict accordance with the approved Arboricultural Report.

In conclusion, subject to planning conditions as recommended by the Council's Tree Officer, no trees of public amenity value will be lost and such trees will be adequately protected, and so the proposals would accord with Arun Local Plan policy ENV DM4.

ECOLOGY:

In terms of legislation, development will need to avoid impacts on legally protected species, and where this is not possible, mitigation or compensation will be necessary and a Licence from Natural England may be required. Paras 174 and 180 of the NPPF indicates that developments should aim to protect or enhance, minimise impacts, and provide net gains to biodiversity. Net Biodiversity Gain is an important aspect of the Environment Act and the NPPF. ALP policy ENV DM5 states development shall seek to achieve a net gain in biodiversity and protect existing habitats on site.

A Bat and Reptile Survey has been submitted with the application.

The Council's Ecology Officer has provided comments, confirming that the proposals are acceptable, subject to planning conditions to protect bats, reptiles, wild nesting birds and hedgehogs and to promote Net Biodiversity Gain on site.

Subject to planning conditions as recommended by the Council's Ecology Officer, protected species will be adequately protected and a Net Gain in Biodiversity will be achieved, in accordance with the relevant legislation and policy ENV DM5 of the Arun Local Plan.

SUMMARY:

In conclusion, the application complies with the relevant policies within the Development Plan, having an acceptable impact on visual amenity, residential amenity, quality of new residential accommodation, sustainability, parking and highways, drainage, trees and ecology, subject to appropriate planning conditions. As such, although the NPPF's 'presumption in favour of sustainable development' is engaged in this case and the proposals would represent 'sustainable development', given there would be no conflict with the Development Plan, then the tilted balance does not need to be applied in this case. In addition, it is noted that the provision of a replacement dwelling (i.e. no net increase in housing supply) would have limited weight in favour in this planning balance in any event.

The application is recommended for approval, subject to the following conditions and informatives;

HUMAN RIGHTS ACT

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

Rights.

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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

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

CIL DETAILS

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

RECOMMENDATION

APPROVE CONDITIONALLY

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

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

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

- Proposed Site Plan (PL-04 Rev A)
- Proposed Floor Plans (PL-01 Rev A)
- Proposed Elevations - Dwelling (PL-02 Rev A)
- Proposed Garage Elevations (PL-03)

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D SP1, D DM1, D DM2 and QE SP1 of the Arun Local Plan.

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

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and by endeavouring to achieve a building of visual quality in

accordance with policy D DM1 of the Arun Local Plan and the Arun District Council Design Guide Supplementary Planning Document.

- 4 The two first floor gable end windows on the southern elevation of the new building hereby permitted shall be obscure glazed and fixed shut to a minimum height of 1.7m above finished floor level. These windows shall remain as such at all times.

Reason: To protect the amenities of local residents in accordance with policies D DM1 and QE SP1 of the Arun Local Plan.

- 5 No demolition/construction activities shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no noisy work on Sunday or Bank/Public Holidays.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Adopted Arun Local Plan.

- 6 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:

- a) An indicative programme for carrying out of the works;
- b) Details of the arrangements for public engagement / consultation both prior to and continued liaison during the construction works;
- c) Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s);
- d) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
- e) The parking of vehicles of site operatives and visitors;
- f) Loading and unloading of plant and materials, including permitted times for deliveries;
- g) Storage of plant and materials used in constructing the development;
- h) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- i) 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 Regulations Orders);
- j) Measures to control the emission of dust and dirt during construction;
- k) A scheme for recycling / disposing of waste resulting from demolition and construction works i.e. no burning permitted.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Adopted Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to secure details of the proposed mitigation measures for construction impacts prior to development works commencing.

- 7 If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected

contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

Reason: To protect the amenity of local residents in accordance with Policy QE DM4 of the Adopted Arun Local Plan.

- 8 The owner(s) of any domestic property built or refurbished before the year 2000 are legally obliged to protect householders from any risks from work activities being carried out in their homes. Where the work being carried out involves Asbestos-Containing Materials (ACM's), then the Control of Asbestos Regulations 2012 will apply. As the proposed development is being demolished and / or renovated, the Council need to be satisfied that any ACM's previously identified as still present, is either removed or suitably managed to minimise risk to human health as there is no safe threshold for asbestos exposure. Within any owner-occupied domestic properties, the owner(s) are not legally responsible for risks to contractors from asbestos, as the owners themselves are not engaged in any work activity.

NB: If you are planning any DIY home improvements, repairs or maintenance - and intend to bring in any additional builders, maintenance workers or contractors to site - you must inform them of any ACM's in your home before they start work. This will help reduce the risks of any ACM's being disturbed. The domestic enforcement authority; the Health and Safety Executive (HSE) strongly encourages the use of trained professionals to repair or remove ACM's. If an owner / occupier chooses to carry out DIY repairs or remove damaged asbestos materials themselves, they must make sure the right Personal Protective Equipment (PPE) is used and always follow safe working methods.

In addition, please be aware that ACM's need to be legally disposed of as 'hazardous waste'. The removed materials should not be mixed with normal household waste. Arrangements must be made to have any ACM's collected by a competent person(s) or there may be special facilities in an area where you can safely dispose of it.

Reason: To protect the amenity of local residents in accordance with Policy QE DM4 of the Adopted Arun Local Plan.

- 9 Prior to first occupation of the dwelling hereby approved, provision shall be made on site for 1 x 240l bin for refuse and 1 x 240l bin for recycling. This bin provision shall be retained in perpetuity.

Reason: To provide adequate waste storage for future occupants of the dwelling, in accordance with policy WM DM1 of the Arun Local Plan.

- 10 The development shall accord with the measures set out in Energy and Sustainability Statement (prepared by blew burton Ltd, dated 21st May 2021), and at least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the NPPF) unless it can be demonstrated that a fabric-first approach would achieve an equivalent energy saving. 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 before any development above damp proof course (DPC) level begins. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to secure on site renewable energy in accordance with national planning

policy, and in accordance with Policy ECC SP2 of the Arun Local Plan.

- 11 No part of the development shall be first occupied until the car parking (minimum 2 spaces) 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 provision on site for the use, in accordance with national planning policy, policies T SP1 and T DM1 of the Arun Local Plan and the Arun District Council Parking Supplementary Planning Document.

- 12 No part of the development shall be first occupied until covered and secure cycle parking spaces (minimum 2 spaces) have been provided in accordance with the approved plans.

Reason: To provide alternative sustainable travel options to the use of the car in accordance with national planning policy, policies T SP1 and T DM1 of the Arun Local Plan and the Arun District Council Parking Supplementary Planning Document.

- 13 No part of the development shall be first occupied until the electric vehicle charging spaces (100% of all parking spaces on site) have been provided in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To provide sustainable travel options in accordance with national planning policy, policies T SP1 and T DM1 of the Arun Local Plan and the Arun District Council Parking Supplementary Planning Document.

- 14 The development shall accord with the SUDs measures set out in the Foul and Surface Water Drainage Statement (prepared by CGS Civils, dated 26th May 2021), and shall achieve a net increase in permeability on site as a result of the development scheme. Details of surface water drainage before and after development and the proposed SUDs features shall be provided on a SUDs Site Plan to be submitted to and approved in writing by the Local Planning Authority before any development above damp proof course (DPC) level begins. The development shall be implemented in accordance with the approved details.

Reason: To ensure SUDs are incorporated into the development scheme and that the site is adequately drained, in accordance with policy W DM3 of the Arun Local Plan and policy 10 of the Ferring Neighbourhood Plan.

- 15 No development shall take place, including any works of demolition, until the developer has agreed in writing with Southern Water and the Local Planning Authority, the measures to be taken to protect the public sewers. Thereafter the approved measures will be implemented and adhered to.

Reason: To ensure public sewers (the existing drainage network) are adequately protected from development, in accordance with policy W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to secure details of the proposed mitigation measures for the protection of public sewers prior to development works commencing.

- 16 Before any demolition of buildings or construction work takes place, written confirmation is required from the Arboricultural Expert representing the site owner(s), confirming that all protective fencing and ground protection has been inspected and found to be 'Fit for Purpose' as required under British Standard 5837:2012 and been erected and positioned exactly as shown on the Tree Protection Plan, Ref: TPP 05585 / 2021 R1, May 2021.

Reason: To ensure the retention and maintenance of trees and vegetation which are an important feature of the area in accordance with Policy D DM1 and D DM4 of the Arun Local

Plan. It is considered necessary for this to be a pre-commencement condition as the protection and retention of trees goes to the heart of the planning permission.

- 17 All activity at the site is to be carried out in strict accordance with: - Arboricultural Report, Ref: SCD 05585 / 2021 (Revision 1), May 2021.

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

Reasons: To comply with BS5837 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area, in accordance with policy D DM1 and D DM4 of the Arun Local Plan.

- 18 In respect of bats, a precautionary approach must be undertaken in accordance with the submitted Bat and Reptile Survey Report (prepared by the Ecology Co-op, dated August 2021). Prior to works commencing, including any demolition, an inspection shall be undertaken by an ecologist and removal of the roof tiles shall be undertaken by hand in the presence of a suitably qualified ecologist. If a bat is found all works must stop and Natural England consulted.

Reason: To protect legally protected species, in accordance with the relevant legislation, national planning policy and policy ENV DM5 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as the protection of legally protected species must be secured prior to development works commencing.

- 19 In accordance with the submitted Bat and Reptile Survey Report (prepared by the Ecology Co-op, dated August 2021), the external lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. Prior to installation of any external lighting scheme, the details shall be submitted to and approved in writing by the Local Planning Authority. Any external lighting is to be implemented thereafter in strict accordance with the approved external lighting scheme.

Reason: To protect legally protected species, in accordance with the relevant legislation, national planning policy and policy ENV DM5 of the Arun Local Plan.

- 20 Prior to first occupation of the dwelling hereby approved, a bat brick shall be integrated into the building on-site facing south/south westerly and positioned 3-5m above ground.

Reason: To support local wildlife and biodiversity, in accordance with national planning policy and policy ENV DM5 of the Arun Local Plan.

- 21 To ensure the site remains unsuitable for reptiles, continued management of the site must take place to ensure reptile habitat does not develop on-site. If this is not possible then a precautionary approach must be taken within the site with regards to reptiles, which involves any removal of scrub, grassland or ruderal vegetation to be done sensitively and with a two phased cut.

Reason: To protect legally protected species, in accordance with the relevant legislation,

national planning policy and policy ENV DM5 of the Arun Local Plan.

- 22 Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time an ecologist will need to check the site before any works take place (within 24 hours of any work).

Reason: To protect legally protected species and local wildlife, in accordance with the relevant legislation, national planning policy and policy ENV DM5 of the Arun Local Plan.

- 23 Prior to first occupation of the dwelling hereby approved, a bird box shall be installed on the new dwelling and/or a tree within the garden of the property.

Reason: To support local wildlife and biodiversity, in accordance with national planning policy and policy ENV DM5 of the Arun Local Plan.

- 24 Any brush, compost and/or debris piles on site could provide shelter areas and hibernation potential for hedgehogs. These piles must be removed outside of the hibernation period mid-October to mid-March inclusive. The piles must undergo soft demolition. Any lighting used during construction should avoid light spilling to the underneath of hedgerows and shrubs.

Reason: To protect legally protected species and local wildlife, in accordance with the relevant legislation, national planning policy and policy ENV DM5 of the Arun Local Plan.

- 25 Prior to first occupation of the dwelling hereby approved, a hedgehog nesting box should be installed within the site to provide future nesting areas for hedgehogs.

Reason: To support local wildlife and biodiversity, in accordance with national planning policy and policy ENV DM5 of the Arun Local Plan.

- 26 Prior to first occupation of the dwelling hereby approved, the biodiversity enhancement measures set out in the submitted Bat and Reptile Survey Report (prepared by the Ecology Co-op, dated August 2021), must be implemented. This shall include planting of native flowers and shrubs, along with 2 native trees from UK stock only.

Reason: To encourage biodiversity and ensure the development results in a Net Gain in Biodiversity, in accordance with the Environment Bill, national planning policy and policy ENV DM5 of the Arun Local Plan.

- 27 INFORMATIVE: The applicant's attention is drawn to the requirements of the Environmental Protection Act 1990 and the Clean Air Act 1993 with regard to burning on site. A statutory nuisance may be caused by smoke and ash from fires or noise from the cutting or chipping trees. In addition, air quality could be adversely affected on large projects. The granting of this planning permission does not permit a statutory nuisance to be caused. The Environment Agency should also be contacted regarding Exemption Permits to burn on site.

- 28 INFORMATIVE: The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information, please contact the Environmental Health Department on 01903 737755.

- 29 INFORMATIVE: The applicant is advised to obtain formal approval from the proprietor of the private road prior to carrying out any access works.

- 30 INFORMATIVE: Southern Water records show the approximate position of an existing SW sewer in the vicinity of the development site. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.

Please note:

- The 150 mm public foul sewer requires a clearance of 3 metres on either side of the public foul sewer to protect it from construction works and to allow for future maintenance access.
- No development or tree planting should be carried out within 3 metres of the external edge of the public foul sewer without consent from Southern Water.
- No soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public foul sewer.
- All existing infrastructure should be protected during the course of construction works.

Please refer to: southernwater.co.uk/media/3011/stand-off-distances.pdf.

- 31 INFORMATIVE: It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.
- 32 INFORMATIVE: Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer. To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements.
- 33 INFORMATIVE: The initial assessment undertaken by Southern Water does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with Sewers for Adoption standards will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119). Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk.

- 34 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.