

Recommendation Report for Planning Permission

REF NO: FP/51/21/PL

LOCATION: 32 Sea Drive
Felpham
PO22 7NE

PROPOSAL: Demolition & erection of 1 No. dwelling with associated works. This site is in CIL Zone 4 & is CIL Liable as new dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks approval for demolition of a house and construction of low energy 5 bed dwelling designed to the Passivhaus standard with associated works. The house would be built over three floors with bedrooms and ancillary spaces on the ground and top floor and living areas and the kitchen on the first. The Ground floor incorporates an integral garage. A contemporary design with flat roof is proposed. The house is to be finished in white render with white fenestration. The front elevation would be animated with windows of a different sizes and shapes, the entrance door with side screen. The southern elevation is open to the sea with large French windows and doors, balconies with frameless balustrades and external staircase. The building would be air tight and super insulated with triple glazing, ventilation and heat recovery systems utilising solar pv's (20) and heat pumps the building will be carbon neutral. Vehicular and pedestrian access to the house is similar to the existing.
SITE AREA	897.25 square metres
RESIDENTIAL DEVELOPMENT DENSITY (NET)	11 dwellings/hectare
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the development.
BOUNDARY TREATMENT	Open to the front, close boarded fence along sides with dense hedgerow. Trees and bushes to the rear.
SITE CHARACTERISTICS	Detached two storey dwelling on sea side of Sea Drive with uninterrupted views of the channel. The property is brick built with 2 storey gabled front projection and attached pitched roof garage on the site.
CHARACTER OF LOCALITY	Sea Drive with The Loop to its west end is a wide cul-de-sac lined with well set back two storey substantial dwellings

characterised by hipped roofs with spacious rear gardens, a small pocket park within a loop.

The site is part of the Summerley Private Estate in Felpham. Dwellings within the cul de sac are enclosed by Jacken Close to the west and accessible via Crossbush and Burley Road from the north.

RELEVANT SITE HISTORY

BR/216/55	House And Garage	ApproveConditionally 23-11-55
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Noted.

REPRESENTATIONS

Felpham Parish Council: No objection.

1 letter of objection:

- Overdevelopment, it will appear overbearing. All the trees at the rear have been removed.
- Concept of an eco-friendly house must be welcome and supported. Scale of property not in keeping with Sea Drive, should be scaled back.

14 letters of support:

- This house will greatly improve the look of Sea Drive and Summerley Estate as a whole.
- Support for the ambition to prioritise sustainability throughout the design of the development.
- Design is very well considered with regards to plot size, external appearance, and sustainability.
- Eco friendly property is supported.
- A "vision of the future" and a benchmark to emulate.
- Passivehaus seems a considerate thing to do.
- Along the seafront all houses are unique and this house would contribute to the diversity of them.
- The demolition of this particular property would be no great loss to the attractiveness of the street.
- The development will positively impact everyone who walks along the sea-front.
- The Summerley residents association have approved the design of the house as presented.

COMMENTS ON REPRESENTATIONS RECEIVED:

The design has been discussed with the Summerley Estate Association and with neighbours, however the council was of an opinion that the design of the proposed dwelling was too dominant within a street scene which would be in conflict with ACD policies. The applicant addressed the Council's concerns and amended the proposed dwelling accordingly.

The Felpham Parish Council has been re-consulted; no objection raised and support this revised scheme.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADC DRAINAGE ENGINEERS: Due to scale, location and type of application we have no conditions to request. Any alterations to surface water drainage must be designed and constructed in accordance with building regulations.

WSCC: Proposal would not have unacceptable impact on highway safety or result in 'severe' cumulative impacts on operation of highway network, therefore not contrary to NPPF (para 109).

ENVIRONMENTAL HEALTH: No objection subject to conditions.

COASTAL ENGINEER, COASTAL PROTECTION: No objection subject to suggested condition and informative.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

2km Buffer for Site of Special Scientific Interest Felpham;
Built Up Area Boundary.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM5	ENV DM5 Development and biodiversity
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WDM4	W DM4 Coastal Protection
WDM1	WM DM1 Waste Management

Felpham Neighbourhood Plan 2014 POLICY ESD1	Design of new development
Felpham Neighbourhood Plan 2014 POLICY ESD3	Coast protection and sea defence works
Felpham Neighbourhood Plan 2014 POLICY ESD5	Surface water management

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
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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 Felpham Neighbourhood Plan (referred to hereafter as the Plan) was 'made' by Arun District Council on the 16th July 2014 following a Referendum. The adoption of the Arun Local Plan 2018 required a review and where appropriate amendment of the Felpham Neighbourhood Plan to ensure the two documents are in alignment and reflect the new policies.

At Full Council meeting on 17th March 2021, Arun District Council resolved to 'make' the Felpham Neighbourhood Development Plan 2019-2031. The Neighbourhood Plan Review 2019 - 2031 contains a number of 'saved' policies from the Felpham Neighbourhood Plan 2013- 2029, some amended policies and some new ones. The relevant policies are: H2 Windfall Sites, ESD1 Quality of Design, ESD3 Coast Protection and Sea defence Works(saved), ESD5 Surface Water Management, ESD9 Protection and Enhancement of Wildlife and GA4 Parking on New Development. All relevant policies except policy ESD3, are modified in Felpham Neighbourhood Development Plan 2.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 70(2) of 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.

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

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

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

KEY ISSUES

The key issues are principle, design and visual amenity, residential amenity, highways/traffic, flooding and wildlife.

PRINCIPLE

The development is in the built up area boundary in a sustainable location where the principle of development is acceptable subject to accordance with relevant development plan policies. The key policies considered are SD SP2, D SP1, D DM1, D DM2, TSP1, ECC SP2, QE SP1, W DM1, W DM3 and WM DM1 of the Arun Local Plan and policies H2, ESD1, ESD3, ESD5 and ESD9 of the Felpham Neighbourhood Development Plan 2 and relevant paragraphs of NPPF.

Policy D SP1 requires development to make efficient use of land reflecting the characteristics of the site/local area and policy D DM1 states a high standard of architectural principles should be demonstrated and development should have a minimal impact to users and occupiers of nearby properties/land. Policy D DM2 expects internal spaces to meet the requirements of Nationally Described Space Standard. Policy W DM1, Policy ECC SP2 expects development to be energy efficient.

Policy H2 of the Felpham Neighbourhood Development Plan 2 states infill and redevelopment sites will be supported subject to conditions being met: the scale of the development is appropriate to the size, character and role of the settlement and the development complies with the other relevant policies of the development plan.

The NPPF is an important material consideration in determining applications. NPPF para 122 (d) states planning policies and decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an area's prevailing character and setting (including residential gardens).

Due to the position of the site the proposed dwelling would not conflict with the policies above which, in principle, allow for development or redevelopment within the built up area.

DESIGN AND VISUAL AMENITY

Policy D SP1 of the Arun Local Plan stresses that successful development should respond to local distinctive pattern of development. Paragraph 13.2.9 of the Local Plan (Design) stresses new development should ensure height and massing does not interrupt or debase the rhythm of existing building/roof line or detract from the local and wider area's character.

Policy ESD1 of the Felpham Neighbourhood Development Plan 2 requires development which would have an effect on the appearance or character of the surrounding area must be of a high quality of design and must contribute to local character by creating a sense of place appropriate to location. Policy ESD3 ensures that Felpham is a coastal village and the quality of its seafront promenade and beaches is highly valued.

Para 127 of NPPF stresses that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

The Arun Design Guide Supplementary Planning Document (SPD), adopted on 25th January 2021, is a material consideration in determination applications. Part P.O1 deals with infill development and requires development to respond positively to the character; infill developments, whether in rural contexts or urban environments, must aim to strike a balance between the benefits of more efficient and intense use of development land and preserving the character and local amenities of the site's context and will need to respond to the building heights, scale and massing that characterise the existing street frontage.

The Ministry of Housing, Communities and Local Government: National Design Guide comprises a material planning consideration for the purposes of decision taking. Criterion C1 requires developments to understand and relate well to the site, its local and wider context; including the existing built development, layout, form and scale. Criterion I1 requires development to respond to existing local character and identity including the characteristics of existing built form and the elements of a place or local places that make it distinctive. Criterion B2 requires development to be of an appropriate building type and form, having regard to the height of buildings around them, the relationship with the street width, and the sense of enclosure that results.

The main objective Felpham Parish Council Design Guide (published in October 2018) is to ensure that the landscape character and street scene is respected and enhanced in any change to roads, buildings, car parks, seafront and other open spaces. Summerley Estate is here described as an area with a diversity of plot shapes with attractive spaces between properties.

The width of plots along the south side of Sea Drive varies, some plots are spacious the other are more regular and accordingly the spaces between buildings are not the same reflecting the character and style of each property. The proposal site is large enough to accommodate 5 bed dwelling designed to the Passivhaus standard needs as amended after further consideration with regards to the character of established surrounding area design. There would be a separation distance of 1.5m from the western shared boundary and 2.75m from the eastern boundary. Whilst the footprint of the proposed dwelling would be slightly reduced in width, its visual impact would be greater due to its height, architectural style and appearance. The proposed dwelling would be 0.75m higher than the closest dwelling to the east, however given amendments discussed below it would not adversely impact surrounding area.

The replacement dwelling would extend the footprint from 120 sqm to 224 sqm with a maximum height of 9.0m. To meet the International Passivhaus standard the design process must meet strict criteria with superinsulation, advanced window technology, air tightness and ventilation all assessed, among other characteristics what usually adds to massing of the dwelling. The proposal for the above reason has been amended and the all elevations of the third floor have been set in significantly resulting in a reduction of massing of the proposed dwelling and an enlargement of the space between neighbouring properties. Whilst the introduction of the Passivhaus can be challenging in the prevalent suburban status-quo, it would be achieved through integration of architectural design to minimise appearance of the proposed dwelling articulating its scale to houses on the street and balancing the relationship in the streetscape as it is interpreted in an amended design which took reference to The Owle house (further from the proposal site to the west), one of the first houses to be built in Sea Drive.

The development as proposed would respect and complement the established character of local development and would be in harmony with a balanced street-scene. Therefore it would comply with

those aspects of Policies D SP1 and D DM1 of the Arun Local Plan, Policies ESD1, and H2 of the Felpham Neighbourhood Development Plan 2, relevant paragraphs of NPPF, the Arun Design Guide (SPD), the National Design Guide and Felpham Parish Council Design Guide.

RESIDENTIAL AMENITIES

Arun Local Plan Policy D DM1 indicates permission will only be granted for schemes displaying high quality design and layout. It indicates development will be permitted if it takes into account impact on adjoining occupiers, land, use or property by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance. Policy QE SP1 states the Council requires all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity.

The proposal would result in a substantial dwelling situated in between two rather large properties in a sufficient distance. No habitable room windows are proposed on the flank walls of the proposed dwelling. There are habitable room windows at the first floor level of No 33, however these would not be affected by the proposed development due to its position to the north and an adequate distance. No 31 to the east does not have habitable room windows on the west elevation and given the proposed dwelling would have a depth similar to the depth of neighbouring properties it is not considered that the proposed development would result in an adverse impact on living conditions of occupiers of this dwelling.

Therefore the proposed development would accord with policies D SP1, D DM1 and QE SP1 of the Arun Local Plan.

HIGHWAY SAFETY AND PARKING

Arun Local Plan policy T SP1 seeks to ensure development: provides safe access to the highway network. Policy GA4 of the Felpham Neighbourhood Development Plan 2 stresses that in proposals for new development car parking should where possible be accommodated in the curtilage of the dwelling in the form of a garage and/or parking space.

Arun District Council's Parking Standards Supplementary Planning Document (January 2020) outlines the approach to parking at new developments. The requirement of the SPD for 5 bed dwellings in Parking Behaviour Zone 2 is 3 spaces per dwelling.

The site layout shows the provision of 3 parking spaces which would satisfy the requirement of Arun District Council's Parking Standards.

WSCC do not consider this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the NPPF (paragraph 109), and that there are no transport grounds to resist the proposal.

It is considered the proposal would satisfy policy T SP1 of the Arun Local Plan, Arun Parking Standard and with the guidance on highways within the NPPF.

INTERNAL & EXTERNAL SPACE STANDARDS

Policy D DM2 states: "The planning authority will require internal spaces to be of an appropriate size to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance". It is necessary to assess the proposal against internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard) to determine if the building is suitable for residential use.

The 5bed/8 persons dwelling would have an internal space area of approximately 200sqm whilst the requirement according to the space standards is 134sqm. The dwelling would exceed minimal space standard required by the Nationally Described Space Standards.

Arun Design Guide part H.04 advises on Residential Outdoor Amenity & External Space Standard:

- All development should provide residents with access to outdoor amenity space, whether private or communal. It advises outdoor amenity spaces should be of an appropriate size and shape and be usable and enjoyable and states that rear gardens should have a minimum depth of 10.5m and buildings should be set back by 2m from the plot boundary to mark defensible space.

The proposal provides a rear garden with a depth more than 20m of a rectangular shape which would exceed the requirement of Arun Design Guide and complies with policies D DM1 and D DM2 of the Arun Local Plan and with the guidance in the NPPF (para. 127)

BIODIVERSITY

ALP policy ENV DM5 states: "Development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on site. They shall also however incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats (whether designated or not)."

Policy ESD9 emphasises development proposal must be designed to incorporate net (increased) biodiversity in and around developments and improve linkages with and to existing biodiversity. Ecological networks include mature hedgerows, trees, ground cover, ponds and watercourses provide important habitats and cover for migration of wildlife. (Government's target to halt the decline in biodiversity by aiming for a net gain for nature.

Para 175 of the NPPF states: "If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;"

The proposal is for a replacement of a building. No trees according to submitted Planning Statement would be removed to facilitate this development and there are limited habitats on site. Prior to demolition a bat survey will be commissioned to eliminate the existence of potential bat roosts. No ecological survey has been submitted to show a potential impact of the development on protected species with details of measures to be incorporated into the development scheme to avoid loss of the species and to demonstrate biodiversity net gain.

However, the opportunity to increase the biodiversity of the site and mitigation measures will be secured via condition attached to the decision.

FLOODING ISSUES

The site is adjacent to the beach. According to Environment Agency Flood Risk Map the extension would be in flood zone 1.

SUMMARY:

This proposal represents an appropriate redevelopment of the site without compromising the visual amenity of the area or the amenities of existing neighbouring residential occupiers. The proposal is in a

general compliance with relevant development plan policies, the Felpham Neighbourhood Development Plan 2 policies and relevant paragraphs of NPPF. The recommendation to approve is made subject to conditions and informative.

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal 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:

Dwg No 7013/00, Location Plan;
 Dwg No 7013/04 Rev A, Site Plan as Proposed;
 Dwg No 7013/05 Rev A, Site Layout Plan as Proposed;
 Dwg No 7013/06 Rev A, Design Concept;
 Dwg No 7013/10 Rev A, Ground Floor Plan;
 Dwg No 7013/11 Rev A, First Floor Plan;

Dwg No 7013/12 Rev A, Second Floor Plan;
Dwg No 7013/13 Rev A, Roof Plan;
Dwg No 7013/08, Street Scene Elevation;
Dwg No 7013/15 Rev A, Front & rear Elevation;
Dwg No 7013/16, Rev A, Side Elevations.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 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 and samples of such materials and finishes to be used for external walls and roofs of the buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity/setting of the Listed Building/ by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

- 4 No development above damp proof course (DPC) level shall take place until details of screen walls and/or fences have been submitted to and approved by the Local Planning Authority and no dwellings/buildings shall be occupied until such screen walls and/or fences associated with them have been erected.

Reason: In the interests of amenity in accordance with policy D DM1 of the Arun Local Plan.

- 5 Before the buildings permitted are occupied details of dustbin storage shall be provided as part of the development in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority, such drawings to show the siting and design thereof. The storage as approved shall be made available prior to occupation and retained in perpetuity.

Reason: To safeguard the appearance of the property and the amenities of the area in accordance with policies D DM1 of the Arun District Local Plan.

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

Reason: To provide car-parking space for the use and in accordance with policy T DM1 of the Arun Local Plan.

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

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

- 8 Construction/demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no works taking place on Sunday or Bank Holidays unless they are not audible outside of the application site.

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

- 9 No development shall be commenced until such time as plans and details have been

submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

Reason: To avoid undue congestion of the site and consequent obstruction to access in accordance with policy T SP1 of the Arun Local Plan.

- 10 Prior to the occupation of the dwellings, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved dwellings shall be submitted to the local planning authority for approval and thereafter implemented in accordance with the approved details and the charge points shall thereafter be permanently retained and maintained in good working condition.

Reason: New petrol, diesel and hybrid cars/vans will not be sold beyond 2035, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun Parking Standards SPD and the National Planning Policy Framework.

- 11 Details of the proposed landscape provision should be submitted for approval. The opportunity to increase the biodiversity of the site and potential screen the proposals should also be considered. Any trees and shrubs specified should be at a size which allows instant impact, but which will establish and mature as the site develops. Landscape details will be required to be submitted in plan form detailing species choice, quantities, planting densities and size at time of planting. The details so approved shall be implemented prior to the occupation of the approved dwelling.

Reason: In accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

- 12 The bank to the southern boundary of the site shown in drg.7013/05 is believed to be a clay bund which acts as flood defence structure. Therefore the bank must remain in place at a level of no less than 6.3m Above Ordnance Datum.

Reason: In accordance with Arun Local Plan policy W DM4 and the National Planning Policy Framework.

- 13 INFORMATIVE: The ground levels in the garden are relatively low and looking at the drawing of the southern elevation it would appear that the floor levels are almost flush with the ground. It would be prudent to consider raising the floor levels slightly to prevent water ingress and improve the property's flood resilience.

- 14 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.

- 15 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the

2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.