

Recommendation Report for Planning Permission

REF NO: K/6/22/PL

LOCATION: 47 Golden Avenue
East Preston
BN16 1QX

PROPOSAL: Erection of a detached dwelling and integral garage (resubmission following K/51/21/PL). This application is in CIL Zone 4 and is CIL Liable as new dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Planning permission is sought for the erection of a new detached, 2 storey dwelling with a hipped main roof form and flat roof above integral garage and a rear part of the main house. The property would have front and rear balcony features and multi-paned windows and doors with horizontal glazing bars, and a seaside villa architectural style. The roof will be of dark grey slate (Cupa 12), external walls will be rendered in K Rend (or similar) thin coat silicone white and windows will be in wood or aluminium in Anthracite RAL 7016. The proposal includes a front hardstanding driveway, bin storage, and a rear garden with patio areas.
SITE AREA	731.00 square metres
RESIDENTIAL DEVELOPMENT DENSITY (NET)	14 dwellings/hectare
TOPOGRAPHY	Predominantly flat.
TREES	Hedgerows and vegetation on perimeter of site, some trees on adjacent neighbouring sites.
BOUNDARY TREATMENT	Heras security fencing to the front. Open to field at rear. Vegetation, hedgerow and close board timber fence panels to either side.
SITE CHARACTERISTICS	Semi-improved grassland with tall vegetation and a hedge. It is surrounded by arable fields to the east and residential dwellings to the north, west (nos. 45 and 51) on Golden Avenue.
CHARACTER OF LOCALITY	Sub-urban character. Residential street within the Built-Up Area Boundary of Kingston (on the edge, open to the east to the countryside).

RELEVANT SITE HISTORY

K/51/21/PL	Erection of 1 No. detached dwelling and integral garage.	Refused
------------	--	---------

This site is in CIL Zone 4 and is CIL Liable as new dwelling.

10-01-22

The previous application was refused on the following grounds:

Due to a lack of ecology information (Extended Phase 1 Habitat Survey, and any subsequent species-specific surveys and mitigation strategies which may be required), there has been a failure to demonstrate that legally protected species would be adequately protected from the proposed development.

Due to a lack of arboricultural information (Tree Survey, Tree Protection Plan and Arboricultural Method Statement as appropriate), there has been a failure to demonstrate that trees and hedgerows of amenity value would be adequately protected from the proposed development.

There was no reason for refusal related to the principle or design of the dwelling.

REPRESENTATIONS

Kingston Parish Council: No objection.

- Providing condition to be imposed to the decision to prevent overlooking of neighbouring properties from the balconies.

A letter from the East Preston and Kingston Preservation Society received:

- No objection to the design of the house, however consideration to the materials should be given. The unrelentingly monochrome palette would be out of keeping with nearly all surrounding properties, which are in traditional brick, tile hanging, brown/terracotta roof tiles, with occasional timber boarding.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. A condition will be imposed to the decision requiring the installation of a privacy screen (obscure glazed and to minimum height of 1.7m) on either side of the rear balcony to avoid any overlooking to the neighbouring properties on either side.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

DRAINAGE ENGINEERS:

Due to the 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.

The applicant should be aware that there is a watercourse on the boundary. If they propose to connect surface water to or make any alterations to this watercourse (culvert, bridge, divert flow etc) then they will need to apply for ordinary watercourse land drainage consent via West Sussex County Council.

ENVIRONMENTAL HEALTH: No objection subject to conditions related to Construction Hours.

WSCC Highways: 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 is not

contrary to the NPPF (paragraph 111), and that there are no transport grounds to resist the proposal.

ENVIRONMENTAL (ECOLOGY) OFFICER: No objection, subject to suggested conditions.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Within Built-Up Area Boundary (BUAB);
Prone to groundwater flooding

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
ECCDM1	ECC DM1 Renewable Energy
ECCSP1	ECC SP1 Adapting to Climate Change
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QEDM4	QE DM4 Contaminated Land
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management

Kingston Neighbourhood Plan 2014 Policy KPNP1	The Presumption in Favour of Sustainable Development
Kingston Neighbourhood Plan 2014 Policy KPNP2	BUILT-UP AREA BOUNDARY
Kingston Neighbourhood Plan 2014 Policy KPNP4	NATURAL ENVIRONMENT
Kingston Neighbourhood Plan 2014 Policy KPNP5	WATER
Kingston Neighbourhood Plan 2014 Policy KPNP7	DESIGN & DEVELOPMENT
Kingston Neighbourhood Plan 2014 Policy KPNP9	TRANSPORT INFRASTRUCTURE

PLANNING POLICY GUIDANCE:

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

SUPPLEMENTARY POLICY GUIDANCE:

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

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 relevant policies the Kingston Neighbourhood Plan (made 2015) are referred to in this report.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

The proposal 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 adverse impact upon the established character of the surrounding area.

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

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

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

OTHER MATERIAL CONSIDERATIONS

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, space standards, drainage, ecology and trees.

PRINCIPLE:

The proposals seek planning permission for a new dwelling within the Built-Up Area Boundary (BUAB). This accords with Arun Local Plan (ALP) policy SD SP2 which seeks to focus new development within the BUABs. It also accords with Kingston Neighbourhood Plan (KNP) policy KPNP 2 which states development will be permitted within the BUAB, subject to all other policies in the Neighbourhood Plan. The proposed development is therefore acceptable in principle in this location, and would be considered 'sustainable development'.

VISUAL IMPACT:

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 infill gap sites.

Policy KPNP 7 of the KNP provides design criteria for new development, including in respect of siting, design, and ensuring it is in scale with adjacent buildings.

Para 124 of the National Planning Policy Framework (NPPF) 2021 states 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".

The application site forms a gap in the existing built form and the current street scene which is characterised by linear development either side of Golden Avenue on evenly spaced plots. As such, the addition of a building on the site and its plot size would reflect the established pattern of development in the area. The new dwelling would have a similar front building line to the properties adjacent either side, again reflecting the established pattern of development in the area. The new dwelling would be 2 storey and reflect the general scale, width and height of properties adjacent either side and in the wider street scene. The main hipped roof form would also reflect pitched roof forms of other properties in the street.

The design would feature balconies front and rear, multi-paned windows and doors with horizontal glazing bars, and a pillared double height front porch. It would have somewhat of a seaside villa architectural style mixing 1930s features and a more contemporary approach. The proposed materials and finishes for the elevations, roof and fenestration are acceptable. Notwithstanding the comments provided by the East Preston and Kingston Preservation Society, they will not detract from the material of surrounding properties. It is noted that there are a range of designs and materials/finishes to properties along Golden Avenue, so the proposed design and materials proposed would be in keeping with existing street scene and surrounding area.

The proposals would make an efficient use of land within sustainable location and would have an acceptable impact on the character of the street scene and visual amenity of the area, in accordance with the NPPF, ALP policies D SP1 and D DM1, policy KPNP 7 of the KNP, and the ADC Design Guide SPD.

RESIDENTIAL AMENITY IMPACT

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 contributes 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 and QE DM2 relate to noise and light 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).

Policy KPNP 7 of the KNP states that development will be supported if iv) It has a minimal impact on users and occupiers of nearby property and land and does not cause loss of sunlight, over-shadowing, over-looking issues, loss of privacy, anti-social noise/disturbance or have an over-bearing presence.

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

The siting and scale of the proposed new dwelling, and the arrangement and type of windows to the 2 adjacent properties either side (nos. 45 and 51), mean it is considered it would not result in significant overbearing, overshadowing nor loss of outlook or light. The ground floor side-facing windows would be primarily screened behind the side boundary treatments (which could also be conditioned to a certain type/height) so would not allow for inter-visibility between the property and the neighbouring properties either side. The first floor side-facing windows would serve a bathroom and an en-suite (i.e. non habitable rooms) so could be conditioned to be obscure-glazed and fixed shut to a height of 1.7m to avoid any overlooking towards the neighbouring properties on either side. The front balcony would be a sufficient distance (approx. 31m) from opposing habitable room windows (at no. 48) and would be street facing and so would not be considered to result in any intrusive overlooking. The rear balcony could potentially provide some angles of view sideways and back toward the side and rear windows at nos. 45 and 51 either side. A planning condition could be used requiring the installation of a privacy screen (obscure glazed and to minimum height of 1.7m) on either side of the rear balcony to avoid any overlooking to the neighbouring properties on either side.

The Council's Environmental Health Officer has confirmed no objection, subject to a planning condition related to standard construction hours, to ensure occupants and neighbouring residents are suitably protected from noise, light, air pollution.

The proposals would, subject to planning conditions, have an acceptable impact on residential amenity, in accordance with the NPPF, policies D DM1, QE SP1, QE DM1 and QE DM2 of the ALP and policy KPNP 7 of the KNP.

QUALITY OF NEW RESIDENTIAL 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 space standards. The application proposes a 2 storey, 4 bedroom, 7 person dwelling. The minimum Gross Internal Area (GIA) for which, according to

the standards, would be 115sqm GIA with 3sqm built-in storage. The proposed floor plans indicate a GIA of over 200sqm which would well exceed the national internal space standards and comply with policy D DM2 of the ALP.

There are no specific policies in the Arun Local 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 new home would be provided with a private, sufficiently sized rear garden of regular rectangular shape, which would be of a sufficient size and suitable shape, and with a mix of lawned and patio areas, to be functional and enjoyable and serve the occupants of a 4 bed dwelling. It would have a depth of around 21m, well exceeding the ADC Design SPD's recommended minimum 10.5m. As such, it would be acceptable and accord with the ADC Design Guide SPD.

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. The Proposed Site Plan shows the provision of 3 wheelie bins within the front driveway. Kerbside collection could take place from Golden Avenue. A planning condition could be used to secure this bin storage.

SITE ACCESS, PARKING AND HIGHWAYS IMPACT:

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. The ADC Parking Standards (SPD) sets out the vehicle/cycle and EVCP parking standards.

Policy KPNP 7 of the KNP states new development will be supported if (vii) It provides sufficient off-road car parking for its intended use. Policy KPNP states development will be supported which (iv) Makes provision for off-road parking for all vehicles intending to use the development.

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

"The site is located on Golden Avenue, a privately maintained road; consequently, these comments should be considered as advice only. WSCC in its role as Local Highway Authority (LHA) raises no highway safety concerns for this application.

The application proposes a new in/out access onto Golden Avenue. The applicant is advised to contact the proprietor of the privately maintained road to obtain formal approval for the proposed access works. From inspection of the plans, there are no apparent visibility issues with the proposed points of access. The LHA does not anticipate that the addition of one dwelling would give rise to a material intensification

of movements to or from the site.

For vehicular parking, the application proposes a double-bay integral garage with driveway. Under Arun Parking Standards SPD, the LHA would expect a dwelling of this size in this location to provide at least 3 on-site car parking spaces. Therefore, the LHA considers the proposed parking provision to be sufficient. From inspection of the plans, the garage and driveway are suitably sized to accommodate the parking requirement and on-site turning appears achievable.

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 applicant is advised that for dwellings with an off-street parking provision, 100% of parking spaces should be provided with active EV parking spaces in accordance with the Arun Parking Standards.

Regarding cycle parking, the garage is of a suitable size to be considered for secure cycle storage, in accordance with Arun Parking Standards SPD. The inclusion of cycle parking helps promote the use of sustainable transport methods."

Subject to planning conditions to secure vehicular and cycle parking and EVCP provision, the proposals would provide a safe and suitable access, and adequate parking and EVCP provision, and would not give rise to unacceptable highways safety or operation impacts. The proposals would therefore accord with the NPPF, ALP policies T SP1 and T DM1, KPNP policies 7 and 9 of the KNP and the ADC Parking SPD (2020).

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 KPNP 5 of the KNP relates to flood risk and drainage, and policy KPNP 7 states development will not be permitted where 2 (i) Any change in nature of front gardens includes predominately impermeable surfaces.

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. The site is not in any other special drainage designation but mapping suggests it is prone to groundwater flooding.

The Council's Drainage Engineer has commented, summarised as follows;

Due to the location, scale, and type of application Drainage Engineers have no conditions to request. Any alterations to surface water drainage must be designed and constructed in accordance with Building Regulations. The applicant should be aware that there is a watercourse on the boundary. If they propose to connect surface water to or make any alterations to this watercourse (culvert, bridge, divert flow etc) then they will need to apply for ordinary watercourse land drainage consent via West Sussex County Council.

The proposals would result in the development of existing permeable grassy land to a new building and hardstanding driveway and patios. There would be an increase in impermeable areas on site. As such,

SUDs measures such as all hardstanding being fully permeable and inclusion of a soakaway and/or water harvesting etc. should be incorporated into the scheme, to ensure compliance with policy W DM3 of the ALP.

The application form confirms the new dwelling would connect with the existing public sewer network. Southern Water have not provided any comments. However, it is expected that SW's standard conditions and informatives would apply e.g. a formal application would need to be made by the developer to SW to connect to the public sewer.

In conclusion, the proposals would not result in unacceptable flood risk on site or elsewhere and would, subject to planning condition, incorporate SUDs measures and be adequately drained, in accordance with policies W DM2 and W DM3 of the ALP, and policies KPNP 5 and 7 of the KNP.

PROTECTION OF TREES

Policy ENV DM3 of the Local Plan in section 17.3.1 underlines the importance of trees as producers of oxygen and in urban settings groups of trees can contribute significantly to the successful integration of new dwellings into the landscape. The retention of mature trees can contribute to amenity and more attractive developments as well as retaining important wildlife habitats and should be considered at the design stage of all developments.

Policy ENV DM4 of the Local Plan emphasises where there are existing trees on or adjacent to a development site, developers shall be required to provide:

- d. Land and tree surveys
- e. A tree constraints plan
- f. An arboricultural impact assessment to include a tree protection plan and arboricultural method statement.

These ensure development is planned to take a comprehensive view of tree issues at an early stage in the design process and that development works do not have a negative impact on existing trees.

Policy KPNP 4 of the KNP states that development will be supported where "(iii) It does not entail any loss of trees or hedgerow, ancient or otherwise, that contribute to local amenity; and incorporates tree planting, in particular native species in context with the local landscape character, as an integral part of any development proposals, where possible".

The aerial photography and architect's plans show several off-site trees which may overlap the site (by crown spread and/or root growth) so could be adversely affected by these proposals. The previous application was refused due to the lack of arboricultural information, however, the applicant followed the recommendations given and employed the services of an Arboricultural Consultant to carry out a tree survey exercise and then prepare an Arboricultural Impact Assessment (AIA) which must be inclusive of; a 'Tree Survey Schedule', a 'Root Protection Area (RPA) Schedule' and a 'Tree Constraints Plan' - with the trees accurately plotted on site.

The Arboricultural Method Statement concluded that the overall quality and longevity of the amenity contribution provided for the trees and groups of trees within and adjacent to the site will not be adversely affected as result of the proposed development.

A pre-commencement condition will be imposed to ensure the retention and maintenance of trees and vegetation which are an important feature of the area and to comply with policies ENV DM3 and ENV DM4 of the Arun Local Plan, policy KPNP4 or the Kingston Neighbourhood Development Plan, British

Standards and NPPF's paragraph 131.

BIODIVERSITY

Policy ENV DM5 of the Local Plan requires development schemes shall seek to achieve a net gain in biodiversity and protect habitats on site. They shall 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)."

KPNP policy 7 states new development will be permitted where (ii) It seeks to protect and enhance onsite habitats and associated networks thus protecting biodiversity. Policy KPNP 4 states planning permission will normally be granted for development provided (i) It would contribute positively to the quality of the natural environment of Kingston Parish whilst having due regard to Natural England's standing advice for protected species, and not be detrimental to the biodiversity of the area.

The Preliminary Ecological Appraisal, January 2022 has been submitted and assessed by an Ecology Officer concluding their comments: 'We are satisfied that the biodiversity enhancements recommended within the PEA (Jan 2022) are suitable and should be incorporated into the landscaping scheme.'

A condition will be imposed to the decision to ensure this takes place. The proposal complies with Policy ENV DM5 of the Arun District Local Plan, and policies KPNP 4 and 7 of the Kingston Neighbourhood Plan and relevant paragraphs of the NPPF.

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 represents a sustainable development.

The policies most relevant to this application are not considered out of date in accordance with paragraph 11 of the NPPF. The scheme is acceptable when applying the Local Plan policies (that are relevant and up to date) and it is recommended that in accordance with paragraph 11c of the NPPF that permission is granted subject to conditions.

HUMAN RIGHTS ACT

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

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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

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

SECTION 106 DETAILS

No s106 applies in this case.

CIL DETAILS

This application is CIL Liabe 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 Location Plan 21-085-100 Rev A;
 Dwg No GF Rev E, Ground Floor Plan;
 Dwg No FF Rev E, First Floor Plan;
 Dwg No R Rev E, Roof Plan;
 Dwg No E1 Rev E, Front & Rear Elevations;
 Dwg No SEC Rev E, Basic Sections;
 Dwg No 21-085-101 Rev D, Proposed Block Plan and Street Scene;
 Dwg 21-085-102 Proposed Construction Environmental Management Plan

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 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.

- 4 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.

- 5 Prior to the occupation of the dwellings, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the dwelling 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.

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

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

- 7 Prior to the occupation of the dwelling hereby permitted, a privacy screen (obscure glazed and to minimum height of 1.7m) on either side of the rear balcony should be installed. The screen shall be permanently retained.

Reason: To safeguard the amenities of the occupiers of adjoining property in accordance with policies D DM1 and QE SP1 of the Arun Local Plan.

- 8 Before the site is occupied or any machinery is introduced to the site or demolition work or construction work or alterations to existing ground levels takes place a PRE-COMMENCEMENT Site Meeting is to take place between the Planning Authority's Tree Officer and the Arboricultural Expert representing the site owner(s) or Site Manager - at this meeting all protective fencing will be inspected to verify it is 'Fit for Purpose' as required under British Standard 5837:2012.

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 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.

- 9 The dwelling shall not be occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will incorporate decentralised, renewable and low carbon energy supply systems including full details of solar panels or air source pumps. The approved scheme shall thereafter be implemented prior to occupation of the dwelling and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: To ensure that the development is energy efficient and in accordance with policy ECC SP2 of the Arun

- 10 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

- 11 Prior to its installation, full details of any external lighting together with their mechanisms and timings of operation shall be submitted to and approved in writing by the Local Planning Authority. The use of timed black out blinds and/or low transmission glazing is required for all roof lights due to the biodiversity sensitivities of the site and not disturb or harm wildlife, given the priority woodland habitat. The lighting shall be installed in strict accordance with the approved details and shall thereafter be maintained and operated in accordance with those details. No other external lighting shall be installed on the site.

Reason: To control the residential amenities of the local environment in accordance with Arun Local Plan policies QE SP1, QE DM2, D DM1 and ENV DM5.

- 12 Any on site brush piles, compost and debris piles which could provide shelter areas and hibernation potential for hedgehogs must be removed outside of the hibernation period mid-October to mid-March inclusive. The piles must undergo soft demolition. If any small mammals including hedgehogs are found they should be relocated away from the construction area into surrounding suitable habitats.

Reason: To enhance the environment for local wildlife and result in net biodiversity gain, in accordance with the relevant legislation and policy ENV DM5 of the Arun Local Plan.

- 13 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 enhance the environment for local wildlife and result in net biodiversity gain, in accordance with the relevant legislation and policy ENV DM5 of the Arun Local Plan.

- 14 Prior to first occupation, the biodiversity enhancement measures listed within Preliminary Ecological Appraisal' dated January 2022 must be provided and retained in perpetuity. These refer to:

- The creation of a wildlife pond.
- Creation of reptile refugia and hibernacula using debris and brash from site clearance.
- Planting of native scrub and grassland to increase foraging opportunities.
- The creation of basking areas such as rock piles or areas of cleared ground with shelter nearby.
- The installation of a minimum of one bat box on the newly developed building will provide additional roosting habitat for bats e.g. Beaumaris Bat Box (buildings) Vivara Pro Woodstone Bat Box (buildings).
- Bat boxes should be positioned 3-5m above ground level facing in a south or south-westerly direction with a clear flight path to and from the entrance, away from artificial light. Alternatively, bat boxes could be incorporated into new buildings on the site e.g. Habibat Bat Box, Schwegler 1FR Bat Tubes
- Bat tubes should be inserted into the fabric of the building during construction, positioned 3-5m above ground level facing in a south or south-westerly direction with a clear flight path to and from the entrance and facing landscapes areas, away from artificial light.
- Native tree, hedgerow and shrub planting.
- Creation of wildflower grassland.

Reason: To enhance the environment for local wildlife and result in net biodiversity gain, in accordance with the relevant legislation and policy ENV DM5 of the Arun Local Plan.

- 15 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.
- 16 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.
- 17 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.