

Recommendation Report for Planning Permission

REF NO: M/5/22/PL

LOCATION: 3 The Hard
Elmer
Middleton-On-Sea
PO22 6JS

PROPOSAL: Replacement residential dwelling. This application may affect a Public Right of Way.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Planning application is sought for the demolition of a detached bungalow style dwelling to facilitate the construction of a storey detached dwelling with sun terrace and utility/garden room and a ramp on its side to the rear of the dwelling and a garden building for a secure cycle storage to the very end of the rear garden accessed via a rear gate which would remain. Two parking spaces are to the front and one in a car port (created by the overhang of the first floor bedroom).
SITE AREA	615.00 square metres.
RESIDENTIAL DEVELOPMENT DENSITY	16 dwellings/hectare.
TOPOGRAPHY	Predominantly flat with a 1.2m high earth bund in the centre of the rear garden.
TREES	None affected by the development.
BOUNDARY TREATMENT	Close boarded wooden fences to the side of the garden with a 2m wall and gate at the rear accessing onto a public footpath and the beach hinterland including a public landscaped 5m high flood defence bund. Open to the road frontage on The Hard.
SITE CHARACTERISTICS	The site comprises a single storey timber framed house. This is one of the last remaining of the old style holiday cottage bungalows in the beach front strip of detached bespoke designed properties along The Hard, Elmer Court and Sea Way. Immediately to the rear is a footpath and small boat yard with a raised earth bund and stone revetment providing defences from the sea. The dwelling has a 30m long rear garden with a secondary flood defence bund which runs through all the rear gardens on the south side of The Hard and neighbouring beach front properties nearby.
CHARACTER OF LOCALITY	The area is a residential private estate at the far eastern end of Elmer which fronts the beach. The character of the area is of a suburban residential beach side area with detached bungalows, two/three storey semi-detached and detached

properties of a variety of styles.

RELEVANT SITE HISTORY

M/24/19/PL	Replacement residential dwelling. This application may affect a Public Right of Way.	ApproveConditionally 06-06-19
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Whilst this planning consent is still extant it has not been implemented.

REPRESENTATIONS

Middleton Parish Council: An objection.

- Out of character with the street-scene.
- Overall height is out of keeping with surrounding properties.
- Connection for an overflow from the soakaway to an existing sewer along public pathway.

No letters of objection received.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

- The building as proposed was approved by a committee M/24/19/PL.
- The connection of an overflow from soakaway is discussed below by Drainage Engineers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

DRAINAGE ENGINEERS: No surface water drainage design has been submitted. The applicant has indicated an intention to harvest rainwater for the purposes of toilet flushing and clothes washing with an overflow to drain excess surface water via soakaway. This must be 5m from the building. If infiltration is found to not be viable then there are few alternative options to drain surface water from the site. We will not support a connection of surface water to the foul sewer under any circumstances if this is the case.

Standard condition should be applied to ensure that the development is adequately drained and does not increase flood risk elsewhere.

ENVIRONMENT AGENCY: Reviewed the information as submitted and request a condition.

WSCC HIGHWAYS (LHA): does 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 subject to conditions.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary;
Flood Zone 3

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
ENVDM5	ENV DM5 Development and biodiversity
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
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
WMDM1	WM DM1 Waste Management

PLANNING POLICY GUIDANCE:

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, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan 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.

Middleton does not currently have a Neighbourhood Plan.

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 broadly comply with relevant Development Plan policies in that whilst the proposed development would fail to be complementary to the visual amenity of the locality, and would be detrimental to the amenities of the adjoining and neighbouring properties, almost identical scheme has been approved by a committee under reference M/24/19/PL and this planning consent is still extant.

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 and flooding.

PRINCIPLE

The site is in the built up area where development is acceptable in principle in accordance with policy SD SP2 of the Arun Local Plan and provided it is in accordance with other policies of the Local Plan.

Regard should be had to policy SD SP1 of the Arun Local Plan which states "When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF." Para 120 (d) of the NPPF states planning policies and decisions should "promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.

The development complies with policies SD SP2 and SD SP1 of the Arun Local Plan and relevant paragraphs of the NPPF.

The most relevant policies for determining this application are not out of date despite the Council's 2.42 year housing land supply as they relate to amenity/character etc rather than development principles as they relate to a replacement dwelling. Therefore para 11c of the NPPF is relevant.

DESIGN AND CHARACTER

Policy D DM1 of the Arun Local Plan requires that the Council have regard to certain aspects including:

(1) Character - "Make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping, and design features.";

(13) Density - "The density of new housing will make efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. Proposals should take into account the density of the site and its surroundings. The density of large sites should be varied to guard against uniformity"; and

(14) Scale - "The scale of development should keep within the general confines of the overall character of a locality unless it can be demonstrated that the contrary would bring a substantial visual improvement."

Policy D SP1 "Design" states: "All development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

The Arun Design Guide Supplementary Planning Document (SPD) adopted on 25th January 2021 is a material consideration in the determination of applications. In Part M, Infill Development, the SDP requires a positive response to the character, appearance and layout of surrounding buildings in order to contribute to a sense of cohesion and unity. While infill schemes present a valuable opportunity to increase the efficiency of land use in existing urban and rural areas and provide new housing, this should not lead to overdevelopment and over-intensification of building plots.

Para 130 of the NPPF states: "Planning policies and decisions should ensure that developments: (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 (such as increased densities)."

The proposal is for a replacement of a single storey house situated on the plot of good size with a footpath and small boat yard to the rear and an open green area. The existing dwelling is situated in between two storey houses (2 and 4) with a second floor in the habitable gabled roofs sitting close to the shared boundaries.

The replacement dwelling would fill the whole width of the site albeit space to the western would be suspended, floating above a car port at the ground floor level. The building would be higher than the neighbouring properties as a result of the raised floor levels to facilitate the requirements of the flood risk assessment as pointed out in submitted Design and Access Statement, as the property is situated in Flood Zone 3. It would be 16m deep (with all over-hangings) and would be characterised by a shallow skillion and lean-to roof which would give the dwelling a significantly different look than neighbouring dwellings. The dwelling would have coloured render ground floor walls over a stock brickwork plinth with a mix of through coloured render and Western Red Cedar cladding at first floor.

The layout of the replacement dwelling has been dictated by the adjoining properties, the width of the site and the location and orientation of adjacent properties. The ground floor would provide kitchen/living/dining area and study room with three bedrooms and two bathrooms above.

The dwelling due to its height, architectural style and appearance, dissimilar to dwellings in the area, would detract from development in the area and would have a difficulty to integrate to the immediate streetscape, however as mentioned above, almost identical proposal for the same site has been

approved therefore already established. Therefore the proposed development would broadly comply with those aspects of policies D SP1, D DM1 of the Arun Local Plan and relevant paragraphs of NPPF.

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.

Policy QE DM1 seeks to protect against the impacts of new noise generating development. It states that: "Developers proposing new noise generating development must seek advice from an early stage to determine the level of noise assessment required."

Paragraph 130(f) (NPPF) requires planning decisions to create places with a high standard of amenity for existing and future users.

It is not considered a residential use would be a noise generating form of development especially in entirely residential areas. The residential use would have similar characteristics to other residential properties in the locality.

The proposal would result in a substantial dwelling between two storey dwellings with a second floor within a roof space. No habitable room windows are proposed on flank walls at the first floor level of the proposed two storey dwelling except a narrow whole height window of master bedroom. A condition would be applied ensuring all windows on the side elevation at first floor level would be obscure glazed and non opening below 1.7m in height.

No 4 has west side facing windows (directly towards the two storey side elevation of the proposed dwelling) which serve a living room at ground floor level and a bedroom at first floor level. These are secondary windows and they are separated from the proposed dwelling by 1.2m. There are additional primary windows serving the same rooms facing south thereby precluding any significant adverse impact on loss of light on those rooms.

No. 2 would have a sole east facing, obscure glazed, bathroom window at first floor level facing the side elevation of the development. This is not considered to be a primary habitable room window and the impacts on residential amenity are not therefore considered significant.

2 and 4 have balconies on rear elevations and the impact of the proposed Juliet and master bedroom balcony would not significantly alter the privacy of the rear parts of the gardens of all 3 dwellings. A 1.7m high obscure glazed privacy screen on the east side would ensure the privacy of the rear elevations and garden areas immediately to the rear of their back doors as well as privacy of the occupants of the new dwelling. A solid wall would work as a balcony screen on the east facing side of the balcony is proposed toward 4 The Hard.

Whilst the dwelling would have an overbearing impact on neighbouring dwellings due to its height and close vicinity to the boundary, the proposed development would not result in a significant loss of residential amenity to neighbouring properties and therefore in a general conformity with policies D DM1, QE SP1 and QE DM1 of the Arun Local Plan and paragraph 130(f) of the NPPF.

INTERNAL and EXTERNAL SPACE STANDARDS

Policy D DM2 (ALP) requires internal space standards to be an appropriate size to meet the requirements of all occupants and their changing needs. Paragraph 13.3.4 which supports the implementation of Policy D DM2 states there might be occasions where development cannot comply with all the space standards which includes the conversion of an existing building.

For a 3 bed, property occupied by 6 people as proposed the national space standards state a required minimum gross internal floor area of 102 sqm. The gross internal ground floor area would be 79 sqm and the gross internal first floor area 73 sqm. The combined gross internal floor area is 152 sqm. The floor area would substantially exceed the minimum thresholds. The development accords with policy D DM2.

Arun District Council has no size standards in respect of private gardens although 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. It states 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 of more than 20m which would satisfy the Design Guide and complies with policies D DM1 and D DM2 of the Arun Local Plan and guidance in NPPF (para. 130).

SITE ACCESS, PARKING AND HIGHWAYS IMPACT:

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.

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.

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

"The site is on The Hard, a privately maintained road; consequently, these comments are for advice only. WSCC in its role as Local Highway Authority (LHA) raises no highway safety concerns.

The applicant proposes modification to the existing vehicular access and 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.

On-site turning does not appear achievable, so vehicles may have to exit the site in a reverse gear. However, this is the existing arrangement and is not anticipated to have an adverse impact on highway safety in this location.

Three car spaces are proposed. Under Arun Parking Standards at least two car parking spaces would be

expected for a dwelling of the proposed size in this location.

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 garden shed is proposed for a secure cycle storage for two bicycles in accordance with Arun Parking Standards SPD."

Subject to planning conditions to secure vehicular and cycle parking and EV points, the proposal would accord with ALP policies T SP1 and T DM1, the ADC Parking SPD (2020) and the NPPF.

FLOODING AND SURFACE WATER DRAINAGE

The site is in the Lidsey Wastewater Treatment Works Catchment Area. Policy W DM1 (ALP) advises although minor developments are unlikely to raise significant flood risk, due to the cumulative impact all development within this area must also be accompanied by a Drainage Impact Assessment.

W DM2 of the Arun Local Plan states development in areas at risk from flooding (as identified by the EA) will only be permitted following compliance with listed criteria. One of these criterion is the submission of a sequential test in accordance with the NPPF. Flooding is likely to increase in the future, particularly due to rising sea levels, increased surface water and from rivers.

According to EA Flood Risk Map the entire area is in flood zone 3a. The Climate Change Data shows that entire area to be Flood Zone 3a by 2031, 2061 and 2111 (Future Flood Risk).

Arun District Council's Drainage Engineers do not object subject to conditions.

In the Lidsey Treatment Catchment ADC are committed to preventing and reducing surface water runoff from entering the combined and foul sewer system through the adoption of SuDS techniques. The applicant failed to provide a Drainage Impact Assessment, contrary to requirement policy W DM1, however, this development has already got a planning permission and the subject of the proposal is a replacement of an existing dwelling.

The application is supported by a Flood Risk Assessment which was reviewed by the EA and they request a condition be attached to any permission granted. The development will only meet the NPPF requirements if the following planning condition is included.

The development would broadly comply with those aspects of policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan and the NPPF.

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)."

Para 180 (a) 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 application is for a replacement dwelling. The site is generally laid to lawn with concrete hard standings to the north, west and immediately to the south of the dwelling. Due to the nature of proposal a Preliminary Ecological Appraisal Report was not required.

The Ecology Officer was consulted on the previous application; no objections were raised to the subject to a condition seeking a lighting scheme that would 'avoid unnecessary artificial light spill through the use of directional light sources and shielding' and has requested an informative be applied relating to the disturbance of natural vegetation and nesting birds during construction.

The opportunity to increase biodiversity and mitigation measures will be secured via conditions.

CLIMATE CHANGE

The ALP policy ECC SP2 requires residential development be energy efficient and incorporates decentralised, renewable and low carbon energy supply systems.

No decentralised, renewable and low carbon energy supply systems are proposed therefore a condition would be necessary to secure compliance with the policy.

SUMMARY

This proposal represents a redevelopment of the site without unacceptably 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.

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 789/PL001 Rev D, Proposed Plans, Elevations and Site Plan;
Dwg No 789/PL002 Rev E, Proposed Elevations, Roof Plan and Sections;
Dwg No PL004, Proposed Street Scene.

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 Before the building hereby permitted is occupied a dustbin enclosure 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 details as approved shall be 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 Local Plan.
- 5 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 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 by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.
- 6 Development shall not commence, other than works of site survey and investigation, until full

details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 7 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (dated January 2022) and the following mitigation measures detailed within the FRA:

- Finished floor levels shall be set no lower than 2.85 m above Ordnance Datum (AOD).
- All sleeping accommodation must be provided at a First Floor Level of 5.7 m above Ordnance Datum (AOD) or above.
- No reduction in the height of the secondary flood bund will be undertaken.

These mitigation measures shall be fully implemented prior to occupation. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with policy W DM2 of the Arun Local Plan.

- 8 No reduction in the height of the secondary flood bund shall be undertaken. The bund is referred to as the existing or retained bund and shall be retained at an AOD height of 3.24 metres in perpetuity as shown on the following approved plans:

Dwg.no. 789/ PL002 Rev E - Proposed Elevations, Roof Plan & Sections
Dwg.no. 789/ PL001 Rev D - Proposed Plans, & Site Plan

Reason: To reduce flood risk in accordance with policy W DM2 of the Arun Local Plan.

- 9 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.

- 10 The development not be occupied until the shed shown on the approved plans to provide secure cycle parking spaces has been provided. The facilities shall thereafter 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.

- 11 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.

- 12 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.

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015, (or any Order revoking or enacting that Order) no windows or other openings (other than those shown on the plans hereby approved) shall be formed at first floor level in the east or west side elevations of the dwelling without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities of adjoining residential properties in accordance with policies D DM1/D DM4 of the Arun Local Plan.

- 14 Windows in the east and western side elevation of the hereby permitted dwelling shall at all times be glazed with obscured glass and fixed to be permanently non-opening below 1.7m internal floor level.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy DDM1 of the Arun Local Plan.

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

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

Reason: In the interests of highway safety and the amenities of the area in accordance with policy TSP1 of the Arun Local Plan.

- 16 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.

- 17 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

- 18 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.

- 19 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.

- 20 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.

- 21 Within 3 months of the date commencement of this permission details of improvements to secure biodiversity net gain shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be completed on site prior to occupation of the dwelling and the approved details and retained thereafter.

Reason: In accordance with Arun Local Plan policy ENV DM5 and the NPPF.

- 22 INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The infiltration tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method. All design storms must include a climate change allowance of 40% on

stored volumes or rainfall intensity. Infiltration structures must cater for the critical 1 in 10 year storm event, (plus 40%) between the invert of the entry pipe to the soakaway and the base of the structure. The design must also have provision to ensure there is capacity in the system to contain the critical 1 in 100 year storm event (plus 40%).

Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest groundwater table in support of the design. The applicant is advised to discuss the extent of ground water monitoring with the council's engineers.

Supplementary guidance notes regarding surface water drainage are located at <https://www.arun.gov.uk/drainage-planning-consultations> on Arun District Council's website. A surface water drainage checklist is available on Arun District Council's website, this should be submitted with a Discharge of Conditions Application.

- 23 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.
- 24 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.
- 25 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.