

Recommendation Report for Planning Permission

REF NO: P/157/21/PL

LOCATION: 31 Lagoon Road
Pagham
PO21 4TQ

PROPOSAL: Demolition & erection of 1 No dwelling (resubmission following P/56/21/PL). This site is in CIL Zone 4 and is CIL Liable as new dwelling.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The new dwelling will comprise of two buildings, both single storey with low mono-pitched roofs (which part extend from the vertical elevations). The main building (building A) will comprise of a master bedroom, en-suite, toilet and open plan lounge/dining room/kitchen. It will have roof lights and solar panels on the roof. The second building (building B) is comprised of two bedrooms and a bathroom, with solar panels. This is at the rear of the property and includes a high level bathroom window on its rear elevation. Materials will comprise of corrugated metal (roof), render and timber cladding. Building A will be at most 3.7m high and building B 3.1m.

Also shown is a front courtyard area formed by a new 1.5m high boundary fence. There will be 1 parking space on the site. The land at the rear of the garden will be lowered by 500mm in order to level out the plot and new floor levels will be set at 300mm above ground level.

TOPOGRAPHY Predominantly flat.

TREES Some trees in the rear garden and over the boundary in 33's garden.

BOUNDARY TREATMENT Dwarf brick wall to the front, 2m timber panel fencing to the both sites and rear.

SITE CHARACTERISTICS Existing rendered bungalow and a detached rear garage on the north-eastern shared boundary. The property is set within the predominant line of properties on Lagoon Road on its south-eastern side.

CHARACTER OF LOCALITY Residential area formerly characterised by dwellings predominantly originally created from railway carriages consisting of a variety of design of bungalows. The site faces out on the western side to Pagham Lagoon. The area is designated as an Area of Special Character.

RELEVANT SITE HISTORY

P/56/21/PL Demolition & erection of 1 No. dwelling. This site is in CIL Withdrawn
Zone 4 & is CIL Liable as replacement dwelling. 21-05-21

P/120/18/PL Replacement bungalow. ApproveConditionally
26-11-19

Planning permission was granted in November 2019 for a replacement 3 bedroom bungalow and that permission will not expire until 26/11/22 so is still capable of implementation.

REPRESENTATIONS

Pagham Parish Council raise no objection.

5 letters of objection raising the following concerns:

- Building B harms privacy (particularly from the proposed rear bathroom window) & outlook of neighbours;
- proposed holiday let requires a change of use and will cause noise & disturbance;
- straw bale construction with render is a fire risk;
- need construction management plan to manage delivery of materials and students on the site during construction;
- need details of front boundary wall height; and
- why two buildings?

COMMENTS ON REPRESENTATIONS RECEIVED:

Privacy issues are considered in the conclusions. Comments on the other issues as follows:

- the applicant has stated that: the proposal is for a single dwelling not a holiday let; the design intent is to have a house built around a central garden, which is why the dwelling is split into two entities thus maximising the space for a garden in the centre of the plot; there is no intention to let out Building B as a separate unit as it lacks basic facilities.
- a condition will be imposed to ensure that both buildings are occupied as one dwelling.
- the applicant has stated that the bathroom window is for light only and is above eye level.
- the applicant raises no objections to having the bathroom window obscure glazed by condition.
- the applicant has stated that the buildings will fully comply with Building Regulations.
- the applicant has stated that if they work with the School of Natural Building, no students or instructors will be staying on site.
- a Construction Management Plan has not been requested by WSCC Highways and it is noted that none was imposed on the previous permission.
- the front boundary fence is shown as being 1.5m high.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ENVIRONMENT AGENCY (EA) - advise no objection subject to a condition to ensure floor levels are set

300mm above ground levels.

NATURAL ENGLAND - comments received in response to withdrawn application P/156/21/PL stated no objection and did not request that a contribution be secured to mitigate harm to Pagham Harbour.

WSCC HIGHWAYS - raise no objections and request no conditions. Comment that the parking provision is inadequate (should be 2 spaces) but that this is a matter for the Local Planning Authority.

ADC DRAINAGE ENGINEERS - advise no comments and that drainage to be considered through building regulations.

ADC COASTAL ENGINEER - stated that a response might be delayed due to the need to discuss with the EA but ultimately has not responded.

ADC TREE OFFICER - no response.

ADC ENVIRONMENTAL HEALTH - no response but in comments received in response to withdrawn application P/156/21/PL requested conditions re hours of working, heat pumps and electric vehicle charging.

COUNCILS ECOLOGIST - comments received in response to withdrawn application P/156/21/PL suggested a condition to protect slow worms during the construction.

COMMENTS ON CONSULTATION RESPONSES:

Noted unless indicated below:

ADC ENVIRONMENTAL HEALTH - a condition will be imposed to require approval of measures to minimise energy usage and this will cover any future use of heat pumps.

POLICY CONTEXT

Designations applicable to site:

Pagham Harbour Access Management Zone A;
 Within Built-Up Area Boundary;
 Area of Special Character 5;
 Within 2km of Bognor Reef SSSI;
 Within 2km of Pagham Harbour SSSI;
 Private Road;
 Flood Zone 3;
 Protected Coastal Area;
 Article 4 Direction; and
 Area of Special Advert Control.

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
ENVDM1	ENV DM1 Designated Sites of Biodiversity or geographical

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ENVDM2	ENV DM2 Pagham Harbour
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
HERDM4	HER DM4 Areas of Special Character
QESP1	QE SP1 Quality of the Environment
SDSP2	SD SP2 Built-up Area Boundary
ECCSP2	ECC SP2 Energy and climate change mitigation
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk

PLANNING POLICY GUIDANCE:

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

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021
SPD8	Areas of Special Character
PDS	Pagham Parish Council's Village Design Statement by PaghamPC

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, 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.

Where applicable, Neighbourhood Development Plan's, once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. There is no current Pagham Neighbourhood Plan to consider as the emerging Plan was withdrawn in September 2020.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**OTHER STATUTORY PLANS:**

[South Inshore and South Offshore Marine Plan 2018:](#)

South Marine Plan Policy S-CC-2

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 the relevant policies as it is appropriate development in the built up area, will not result in any harm to the safety & convenience of the highway, will not adversely affect the character of the area, will not harm the amenities of nearby residential dwellings and will not harm biodiversity.

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 other material considerations to be weighed in the balance with the Development Plan and these are set out below:

(1) The fact that the previous planning permission P/120/18/PL remains capable of implementation and so establishes the principle of a replacement dwelling on the site; and

(2) The fact that there are permitted development rights for outbuildings within residential gardens and that these can allow for additional accommodation. Although building B would not benefit from these (due to its height and proximity to boundaries), these rights do establish the principle of a building at the back of a garden.

CONCLUSIONS

PRINCIPLE:

The site lies in the built up area boundary where development is acceptable in principle as per policy SD SP2 of the Arun Local Plan (ALP) provided it is in accordance with other policies of the ALP covering such issues as flood risk, character/design, parking, residential amenity, space standards, trees, biodiversity and climate change.

FLOOD RISK:

The site is wholly in flood zone 3. ALP policy W DM2 refers to the need to provide a Flood Risk Assessment (FRA), comply with the sequential & exceptions tests and provide mitigation. ALP policy ECC SP1 and South Marine Plan policy S-CC-2 require that development be designed to adapt to impacts arising from climate change such as the increased probability of tidal and fluvial flooding.

As per national guidance, residential development in Flood Zone 3 is appropriate subject to a sequential assessment (which seeks to steer new development to Flood Zone 2) and also the exceptions test.

However, as this is an existing dwelling which is still capable of occupation, it is not necessary to require a sequential assessment to demonstrate that a safer site exists or to apply the exceptions test. In the case of a refusal, the fall-back position would still mean a house on this site. In addition, it is material that permission has already been granted for a replacement dwelling and that this permission can still be implemented. The replacement dwelling will provide a betterment to the safety of residential occupiers through ground floor heights and certain other flood resilience measures which are not present in/do not

apply to the existing building.

The applicant has provided a FRA and this has been assessed by the Environment Agency who raise no objections subject to a condition to secure the mitigation measures to protect future occupants. There is therefore no conflict with the relevant ALP policies.

COASTAL PROTECTION:

The site lies in a proposed coastal change management area as agreed by the decision of the Planning Policy Committee on 06 October 2021. Until such time as this has been formally designated, interim development control guidance has been agreed. In the case of the proposal, it is stated that replacement buildings are only to be permitted where there is (a) no raised level of risk now or in predictions covering the ensuing 5 years; and (b) no occupier density increase. Also that finished floor levels to be at least 300mm above predicted flood levels in all cases.

The proposal will increase occupancy on the site from 2 bedrooms to 3 and it is also noted that the site lies in Flood Zone 3 and that there is greater risk in the future due to coastal erosion. The latter may be mitigated by the recent permission (P/93/21/PL) to create a temporary alternative outflow channel within the Church Norton Spit but the success of this scheme is not guaranteed.

The replacement dwelling will have its floor levels raised 300mm but there remains conflict with the interim criteria. However, it is material that there is an extant permission which establishes the principle of a replacement dwelling on the site. In view of this, to refuse solely on coastal protection grounds and in the absence of any supporting comments from the Councils Coastal Engineer, would not be sustainable and difficult to defend on an appeal. Therefore, no objection is raised.

PAGHAM HARBOUR:

The site lies adjacent to Pagham Harbour which is a designated Site of Special Scientific Interest (SSSI) and has also been designated as a Special Protection Area (SPA) and Ramsar site. As such it is protected through European Directive 92/43/EEC and nationally under the Conservation of Habitats and Species Regulations.

ALP policies ENV DM1 and ENV DM2 seek to resist development that affects sites of biodiversity or geological importance and only allow development in exceptional circumstances subject to meeting certain criteria:

The proposal seeks only to replace the dwelling and does so with only a small increase in footprint. It will not result in the introduction of new residential occupiers onto a virgin site and does not increase the amount of residential curtilage. It is material that there is an extant planning permission for a replacement dwelling. The proposal will have only a negligible effect on the local environment. As there is no net gain in dwellings, there is no requirement for a contribution towards the Pagham Harbour SPA mitigation measures. Natural England commented on the previously withdrawn application and raised no objection. The proposal is in accordance with ALP policies ENV DM1 & ENV DM2.

CHARACTER & DESIGN:

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, attractiveness, innovation, residential amenity impact, adaptability, density, scale, trees and crime prevention. New buildings should be harmonious with their surroundings and successfully integrate with the existing surrounding environment.

The site lies in a designated Area of Character and policy HER DM4 seeks to retain existing buildings/boundary treatments/trees that contribute to the special character of the area and to ensure that development preserves and enhance the character. The associated Supplementary Planning Document (SPD) states that the estate is characterised by a wide range of individually designed detached properties with regular plot sizes, that roof pitches rarely exceed 30 degrees and that colour washed render & stained boarding are typical traditional materials.

The National Design Guide is a material consideration and states achieving a well-designed place comes about through making the right choices at all levels, including the layout (or masterplan), the form and scale of buildings, their appearance, landscape, materials and their detailing.

The Arun Design Guide was adopted in January 2021 and is a material consideration in the determination of applications. Section J refers to new building design and states new development must ensure that the existing character and sense of place of an area is respected and enhanced. This can allow for new design forms but only where these take cues from well-designed elements of the existing area. New development should generally reflect the scale of existing buildings and should avoid overshadowing of neighbouring properties.

The Pagham Village Design Statement (PVDS) is 14 years old but remains a material consideration in the determination of applications. The site falls in the "Beach Estate" area and this sets out certain development criteria relevant to this site/proposal.

Paragraph 134 of the NPPF states that "significant weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings".

The new dwelling clearly respects policy and guidance relating to Areas of Character as it respects the single storey nature of the estate, has its own design which is different to nearby dwellings and proposes render and timber boarding. The proposal is therefore in character with its surroundings and it is noted that no objections have been raised in respect of design considerations. The two building approach means that the footprint is larger than before (117m² vs 109m²) but this is not detrimental to character and the overall plot coverage is less than 45% which accords with guidance in the PVDS.

Concerns have been raised about a front boundary treatment. This will be 1.5m high and will create a private front courtyard on half of the frontage. There is no policy in HER DM4, the associated SPG or the PVDS to prevent front boundaries provided that they contribute to the streetscene. There is a similar height boundary to the frontage of 42 Lagoon Road a short distance to the east and the presence of this is material to this part of the proposal. Nevertheless, the proposed boundary will have only a neutral effect on the streetscene and is therefore acceptable.

Overall, there is no conflict with development plan policies in respect of design, character and layout.

RESIDENTIAL AMENITY:

ALP policy D DM1 requires there be minimal impact to users and occupiers of nearby property and land. ALP policy QE SP1 requires development contribute positively to the quality of the environment and ensure development does not have a significantly negative impact on residential amenity. The Arun Design Guide sets out guidance on garden depths and interface distances between houses:

- Back to Back: min. 21m between habitable rooms of properties or to existing buildings;
- Back/Front to Side: min. 14m between habitable rooms and side gable of adjacent property;

- Front to Front: min. 16m between habitable rooms of properties facing each other; and
- Back to Boundary: min. 12m between habitable rooms and site boundary to existing landscaping.

The proposed dwelling is entirely single storey and does not have any side windows. Even taking account of the floor height increase, most of its windows will be screened out by existing boundary treatments or will face to the front onto the road (and not be any further forward than windows on the existing dwelling or those of other neighbouring properties).

The exception is the bathroom window on the rear elevation of building B which will face towards a neighbouring garden. This is part screened by the existing boundary fence and the applicant has no objection to it being obscure glazed. The applicant states it is for light only and so it can be fixed shut. Given its single storey nature & low roof, this building will not have a significantly harmful impact on the outlook or light of the adjacent property. The proposal is in accordance with ALP policies D DM1 and QE SP1.

QUALITY OF LIVING ACCOMMODATION:

ALP policy D DM2 states that internal spaces should be of an appropriate size and that the Nationally Described Space Standards provide guidance. The required internal space standard for a single storey, 3 bedroom, 5 person house is 86m² and the scheme proposes a general internal area of 117m² so complies with the requirement. The Arun Design Guide sets out standards for garden sizes as follows:

- Private Rear Garden: min. 10.5m depth;
- Private Front Garden: min. 2m depth;

The space in the rear garden between buildings A and B is around 13m whilst there is a front set back of at least 4m. The scheme provides a decent standard of amenity for future occupiers and there is no conflict with development plan policy or guidance.

ACCESS AND PARKING:

ALP policy T SP1 states proposals will be supported where they explain how the development has been designed to: (i) accommodate the efficient delivery of goods and supplies; (ii) give priority to pedestrian and cycle movements and have access to high quality public transport facilities; (iii) create safe and secure layouts for traffic, cyclists and pedestrians whilst avoiding street clutter. The Council also has a Parking Standards SPD.

WSCC Highways have been consulted and raise no objections. They do note that the parking provision does not meet the Councils standards and it is clear that there is a shortfall of 1 space. However, this shortfall will not adversely affect highway safety as it is not possible to park on street in this location and additional parking elsewhere outside the estate would only have a very minor impact on the amenities of existing dwellings. The proposal includes provision for 4 cycle storage spaces.

The proposal is in accordance with ALP policy T SP1 and the Parking Standards SPD.

TREES:

ALP policy D DM1 states all new developments will be expected to incorporate existing and new tree planting as an integral part of development proposals. Policy ENV DM4 requires TPO protected trees or trees that contribute to local amenity are not damaged or felled unless the development meets certain criteria including that the benefits outweigh the loss.

There are trees within the rear garden/neighbouring rear garden that will be adversely affected by the siting of building B. The application includes an Arboricultural Impact Assessment, Method Statement and Tree Protection Plan. These detail the proposed removal of two tree groups both of which have been categorised as U (unsuitable for retention), protective fencing and also hand digging under the canopies of the C class (low quality) trees close to the boundary with 33.

None of the affected trees are class B or A and so have very low amenity value and their loss would not be in conflict with the relevant policies. The Tree Officer has not provided any advice and so as a precautionary measure, a condition has been imposed to require construction to be in accordance with the submitted documents.

BIODIVERSITY:

ALP policy ENV DM5 states development schemes shall seek to achieve a net gain in biodiversity and protect existing habitats on site. On the previously withdrawn application, a neighbour had raised the potential for slow worms to be present. It is not considered appropriate to require a full reptile survey for a domestic garden and so instead advice was sought from the Councils ecologist as to precautionary measures to be taken during construction.

Their advice at the time was to require the creation of a translocation area during the build and to relocate any slow worms discovered into there, before releasing into the site upon completion. They also requested that a reptile hibernacula be created in the garden to provide future habitat. This will be conditioned. In addition, in order to offset the loss of the small trees, a condition will be imposed to require new bird nesting facilities. These measures will ensure that wildlife are protected and that there is a small biodiversity net gain associated with the proposal.

CLIMATE CHANGE:

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

- where possible, all materials from the demolition of the existing bungalow & garage will be reused. Salvaged timber will be re-used to build the new structural frame and rubble will be used for the new foundations and floor slab;
- the bungalow will be a timber framed construction with straw bale infill and a natural clay and lime render to the outside and inside. The entrance will be clad in reclaimed timber;
- straw bales are an incredibly sustainable construction material with excellent insulation properties providing high carbon savings. Both the straw bales and additional timber will be locally sourced to reduce embodied carbon;
- all other insulation materials used (for example for the roof and internal walls) will be natural material;
- solar panels on the roof will generate electricity both for use by the buildings and to contribute to the national grid; and
- efficient water and heating technologies will be used throughout.

However, as there are no details of the proposed technologies or precise materials, a condition would be necessary to secure compliance with the policy. A condition is also proposed to ensure an electric car charge point is provided at the property.

SUMMARY:

This proposal represents an appropriate redevelopment of an existing building plot and does so without compromising the visual amenity of the area or the amenities of existing neighbouring residential

occupiers. All other relevant development plan policies have been complied with. As there are relevant development plan policies which are not out of date, the proposal is in accordance with the NPPF para 11(c) which states that development proposals that accord with an up-to-date development plan should be approved without delay. It is recommended the application be approved in accordance with the following 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 is a CIL Liable development and the increase in floorspace generates a CIL liability of £797.60 to be payable unless the applicant subsequently applies for an exemption subject to the requirements of the CIL Regulations 2010 (as amended).

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:

B_500 Proposed Location and Block Plans;
B_100 Proposed Ground Floor Plan;

B_101 Proposed Roof Plan;
B_200 Proposed Elevations; and
B_300 Proposed Streetscene.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1, HER DM4, T SP1 and QE SP1 of the Arun Local Plan.

- 3 All activity at the site is to be carried out in strict accordance with the Arboricultural Impact Assessment and Method Statement, by the Arboricultural Consultancy Ltd (ref. 0517.AMS V1, 11/11/19) and the Tree Protection Plan ref TPP.LR.517.V1.

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

- 4 The development shall be carried out in accordance with the submitted "Flood Risk Assessment & SUDS Strategy for Planning" by ARK Environmental Consultancy Ltd (August 2019) and the mitigation measures it details at sections 9.1, 9.5 & 9.6. This includes having the finished floor levels of both parts of the dwelling being raised at 300mm above ground level. The mitigation measures shall be fully implemented prior to occupation and retained & maintained thereafter throughout the lifetime of the development.

Reason: To ensure the safety of the development and future occupants in accordance with policy W DM2 of the Arun Local Plan and the NPPF.

- 5 The development shall be carried out in accordance with the following precautionary measures designed to prevent or minimise any harm to slow worms residing at or using the site:

- Creation of a translocation zone within the garden away from all the building works with exclusion fences to prevent the slow worms from being able to get back into the construction area;
- Exclusion fencing to be at least 80cm high with approximately 15cm buried in the ground and staked at least every 2m.;
- Any slow worms found on the site during construction should be relocated to this area; and
- The exclusion fencing should remain in-situ until completion of construction activities with daily checks and maintenance of the fence.

Reason: Slow worms have been recorded in the local area, in the interests of biodiversity as per the requirements of Arun Local Plan policy ENV DM5 and the NPPF.

- 6 The use of the rear building hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 31 Lagoon Road as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policy D DM1 of the Arun Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.

- 7 No demolition/construction activities shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no noisy work on Sunday or Bank/Public Holidays. In addition to these hours of working the Local Planning Authority may, upon application, approve in writing a schedule of activities where it is necessary to conduct works outside the hours specified in this condition.

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

- 8 No development above damp proof course (DPC) level shall take place unless and until a colour schedule of materials and finishes to be used for all external surfaces of the proposed buildings has 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 policies D DM1 and HER DM4 of the Arun Local Plan and the NPPF.

- 9 No development above damp proof course (DPC) level shall take place until full details of the placement of (a) 2 bird nesting boxes either on the buildings or in the rear garden; and (b) construction on-site of a reptile hibernacula to improve conditions for slow worms, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented in full prior to occupation and thereafter retained to the satisfaction of the Local Planning Authority.

Reason: In the interests of biodiversity enhancement as per the requirements of Arun Local Plan policy ENV DM5 and the NPPF.

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

Reason: New petrol and diesel cars/vans will not be sold beyond 2030, to mitigate against any potential adverse impact of the development on local air quality and to provide sustainable travel options in accordance with policies T SP1, T DM1 & QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the NPPF.

- 11 The new 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

- 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 policies D DM1 and HER DM4 of the Arun Local Plan.

- 13 The rear bathroom window in building B shall be permanently glazed with obscured glass and fixed to be permanently non-opening.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies S DM21 and QE SP1 of the Arun Local Plan.

- 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 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.
- 15 INFORMATIVE: The Environment Agency strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage. To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning practice guidance. The following documents may also be useful:
Flood resilient construction of new buildings :
<https://www.gov.uk/government/publications/flood-resilient-construction-of-newbuildings>.
- 16 INFORMATIVE: The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up. For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-forflooding>. To get help during a flood, visit <https://www.gov.uk/help-during-flood>. For advice on what do after a flood, visit <https://www.gov.uk/after-flood>.
- 17 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.
- 18 INFORMATIVE: The applicant should note that under Part 9 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally kill or injure native reptiles including slow worms.
- 19 INFORMATIVE: The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information please contact the Environmental Health Department on (01903) 737555