

Recommendation Report for Planning Permission

REF NO: P/36/18/PL

LOCATION: 30 Lagoon Road
Pagham
PO21 4TJ

PROPOSAL: Demolition & erection of 1 No. dwelling with associated vehicle hard standing area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Replacement bungalow with 4 bedrooms. The new bungalow is to be larger in footprint than the existing and will be orientated so as to back onto 2 Wythering Close (it is currently side on). The bungalow will also have a larger footprint. A parking and turning area is proposed with space for 2 cars. Solar panels are proposed to the roof.
SITE AREA	0.016 hectares.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	6 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	A number of trees, predominantly evergreen grouped around the northern boundary. It is proposed to remove an 8m high Ash Tree (T36) and then a number of 6m high Leylandii trees (T37-T46).
BOUNDARY TREATMENT	- With 2 Wythering Close - Low wall with timber fence above (2m height); - With 3 Wythering Close - Part 1.8m timber fence, part brush fence; - With 28/32 Lagoon Road - 1.5m high timber fence; and - To Pagham Lagoon - part open, part 1.2m high timber fencing, part brush fence.
SITE CHARACTERISTICS	A former holiday bungalow on a large overgrown/dilapidated plot in Pagham adjacent to the Pagham Lagoon. The site has a pedestrian access to Lagoon Road situated between nos. 28 & 32 Lagoon Road. There is then vehicular access from Wythering Close on the eastern boundary. The property is set behind the predominant line of properties on Lagoon Road and behind a 2 metre fence and gate at the end of Wythering Close. There are a number of small sheds, a mobile home, chicken coop and other domestic buildings within the site.
CHARACTER OF LOCALITY	A residential area in Pagham consisting of a variety of designs of bungalow. The site faces out on the western side to Pagham Lagoon. The area is designated as an Area of Special Character. The neighbouring dwelling, no. 2 Wythering Close, is a bungalow with no flank facing windows.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Pagham Parish Council

"NO OBJECTION TO THE PROPOSALS HOWEVER CONSIDERATION SHOULD BE GIVEN TO THE TREES ON THE SITE WHICH ARE HABITAT FOR WILDLIFE. IT IS REQUESTED THAT AN ADC OFFICER VISIT THE SITE TO ENSURE ANY TREE REMOVALS ARE CARRIED OUT SENSITIVELY. THE PROPERTY MAY WELL BE IN THE BUFFER ZONE FOR THE PAGHAM NATURE RESERVE. THE COUNCIL WOULD SUPPORT THE OFFER OF REPLANTING TREES TO REPLACE THOSE REMOVED DURING THE DEVELOPMENT PROCESS."

(The Parish response was all in capital letters)

1 letter of objection from no. 2 Wythering Close in which the following issues were raised;

- (1) There is a bat population in the area.
- (2) The access road along Wythering Close is privately maintained and unsuitable for construction traffic;
- (3) Who will pay for repairs to the road surface; and
- (4) Insufficient parking provision for a house with 2 kitchens.

COMMENTS ON REPRESENTATIONS RECEIVED:

In respect of the Parish Council comments, the application was accompanied by a Tree Survey which shows that a number of Leylandii and one Ash tree are to be removed. This is considered to be acceptable having regard to the fact that there are around 35 other trees to remain and a condition will be imposed to ensure that the remaining trees are protected during the development process. The location of the site within the Pagham Harbour buffer zone will be discussed within the report's conclusions.

In respect of the objection letter:

- (1) Noted. The applicant has provided a wildlife survey and the application has been assessed by the Councils ecologist;
- (2) & (3) These are private legal issues;
- (4) Parking will be discussed in the reports conclusions. However, whilst a second kitchen is unusual, the size of this and the layout of the accommodation does not suggest that the home will be occupied by two families.

CONSULTATIONS

Engineering Services Manager

Engineers (Drainage)

Parks and Landscapes

Arboriculturist
Natural England
Environment Agency
Ecology Advisor
Engineers (Coastal Protection)
Surface Water Drainage Team
West Sussex -Landscape/Ecology
WSCC Strategic Planning
Environment Agency
Natural England
Natural England

CONSULTATION RESPONSES RECEIVED:

NATURAL ENGLAND - Had initially raised objection on the grounds of no pollution management plan and no details of measures to avoid surface water pollution entering the adjacent SSSI. This objection has now been lifted following the submission of this information. Natural England recommends that the planning permission be conditioned so as to be in accordance with the two documents. Natural England therefore conclude that adverse impacts on the SSSI can be avoided, and therefore, there is no reason to object.

ENVIRONMENT AGENCY - No objection subject to a condition to ensure that finished floor levels are set no lower than 3.775 metres above Ordnance Datum (AOD). Also recommend that the owner/occupants sign up to the Environment Agency Flood Warning Service, have a flood evacuation plan in place and implement flood mitigation measure in the build.

WSCC HIGHWAYS - No objection subject to a condition to secure cycle storage. WSCC advise that according the proposal generates a demand for 3 car parking spaces.

WSCC DRAINAGE - No comments given the minor nature of the proposal.

CDC ECOLOGY - No object. Request a condition to secure bat friendly lighting, a condition to prevent works to trees in the bird breeding season and a condition to ensure appropriate reptile mitigation.

ADC LANDSCAPE OFFICER - No objection. Recommend a landscaping condition.

COMMENTS ON CONSULTATION RESPONSES:

It is not considered reasonable to require cycle storage as this is an existing residential site and as there are a number of sheds on site which could be used for cycle storage. It is also not reasonable to require landscaping given that the site is already in residential use and has existing tree planting and vegetation. Otherwise noted.

POLICY CONTEXT

Designations applicable to site:

Built Up Area Boundary;
Area of Special Character (Pagham Beach Estate);

Pagham Harbour Zone A;
 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 POLICES

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM1	ENV DM1 Designated Sites of Biodiversity or geographical imp
ENVDM2	ENV DM2 Pagham Harbour
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
HERDM4	HER DM4 Areas of Special Character
HERSP1	HER SP1 The Historic Environment
QEDM2	QE DM2 Light pollution
QESP1	QE SP1 Quality of the Environment
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

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD8	Areas of Special Character
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POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2011-31, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

In December 2014, the Pagham Neighbourhood Plan (PNP) was withdrawn from the examination process in order to produce further studies in respect of the impact on the Pagham Harbour SPA/Ramsar Site. This work has been completed and the Regulation 14 'pre-submission consultation & publicity' stage was undertaken between 02/10/15 and 13/11/15. Although no further progress has been made, it is necessary, in accordance with paragraph 48 of the NPPF, to have regard to the Draft Neighbourhood Plan as a material planning consideration.

It is considered that Policy 3 "Housing Design" is relevant to this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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

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

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

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE:

The site lies within the built up area boundary where development is acceptable in principle in accordance with policy SD SP2 of the Arun Local Plan 2011-2031 and provided it is in accordance with other policies of the Local Plan covering such issues as visual amenity/character, residential amenity, highway safety and parking. Furthermore, this is an existing residential site and the proposal does not seek to intensify the number of dwellings occupying the site.

Regard should also be had to policy SD SP1 of the ALP which states that: "When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework." It is considered that the site is in a sustainable location within reasonable walking and cycling distance of a range of shops, facilities and services including bus stops. Whilst the private car would inevitably be required for some trips, future residents would have a realistic choice of transport options.

PAGHAM HARBOUR:

The site lies adjacent to Pagham Harbour. The Harbour 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. This has been incorporated into the emerging Local Plan through policy ENV DM2 which states, in respect of sites within 2km of the Harbour (zone A), that:

"... development will only be permitted in exceptional circumstances where the developer is able to demonstrate there will be no detrimental effects on Pagham Harbour, including non-native species and the water environment. Regard shall also be had to tests 1-4 as set out in Policy DM1 (Designated Sites of Biodiversity or Geological Importance)."

Policy ENV DM1 states that:

"Proposed development likely to have an adverse effect on land with the designated features of any Site of Biodiversity or Geological Importance as listed in Tables 17.1-17.7 or any subsequently designated sites (either individually or in combination with other developments), will not normally be permitted. Consideration will be given to the exact designated features present on the site, their scarcity/rarity and recognition of the protection offered by their existing status. Development on wildlife sites with the highest value will only be permitted exceptionally where the following can be demonstrated:

- i. There is no alternative solution (which shall be adequately demonstrated by the developer).
- ii. There are reasons of public health or public safety or
- iii. There are benefits of primary importance to the environment or
- iv. There are imperative reasons of overriding public interest."

However, 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 residential occupiers onto a virgin site and does not increase the amount of residential curtilage. The proposal will therefore have only a negligible effect on the local environment. There is also no requirement for a contribution towards the Pagham Harbour SPA (as this is only sought where there is a net gain in the number of dwellings). The application has also been assessed by Natural England who are now satisfied with the mitigation measures designed to avoid pollution entering the adjacent lagoon and therefore do not object to the proposal.

It is therefore considered that the proposal will be in accordance with Arun Local Plan 2011-31 policies ENV DM1 & DM2.

OTHER ECOLOGY MATTERS:

Arun Local Plan policy ENV DM5 requires that new development protect existing wildlife habitats and achieve net biodiversity gains. The application was accompanied by an ecological assessment and this has been assessed by the Council's ecologist. No objections have been raised subject to planning conditions designed to protect birds, bats and reptiles. In the absence of any objection from ecology, it is considered that the proposal is in accordance with policy ENV DM5.

FLOOD RISK:

As according to the mapping on the Environment Agency's website, the site lies within Flood Zone 3.

Policy W DM2 of the Arun Local Plan 2011-2031 states that:

"Development in areas at risk from flooding, identified on the latest Environment Agency flood risk maps and the Council's Strategic Flood Risk Assessment (SFRA) , will only be permitted where all of the

following criteria have been satisfied:

- a. The sequential test in accordance with the National Planning Policy Guidance has been met.
- b. A site specific Flood Risk Assessment demonstrates that the development will be safe, including access and egress, without increasing flood risk elsewhere and reduce flood risk overall.
- c. The sustainability benefits to the wider community are clearly identified.
- d. The scheme identifies adaptation and mitigation measures.
- e. Appropriate flood warning and evacuation plans are in place; and
- f. New site drainage systems are designed to take account of events which exceed the normal design standard i.e. consideration of flood flow routing and utilising temporary storage areas.

The reports prepared as part of the criteria above must take into account contingency allowances, taking climate change into account as set out in Flood Risk Assessments: climate change allowances section of the NPPG.

In locations where strategic flood defence or resilient and resistant construction measures are necessary within the site itself, proposals will be required to demonstrate how measures have been incorporated as an intrinsic part of the scheme in a manner which is compatible with the latest Strategic Flood Risk Assessment."

The applicants have provided a Flood Risk Assessment and the Council has sought advice from the Environment Agency. They have raised no objection subject to a condition to secure a betterment to the finished floor levels compared with the existing dwelling. This betterment has been designed into the proposal. It is therefore considered that the proposal complies with policy W DM2.

CHARACTER AND DESIGN:

Policy D DM1 of the Arun Local Plan 2011-2031 (ALP) 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.";

(2) Appearance/attractiveness - "Demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping to reflect the local area";

(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."

Furthermore, policy D SP1 "Design" states that:

"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. Development proposals should have been derived from: a thorough site analysis and context appraisal; adherence to objectives informing sustainable design (inclusivity,

adaptability, security, attractiveness, usability, health and wellbeing, climate change mitigation and habitats); and the influence these objectives have on the form of the development. With major developments or allocated sites in the Development Plan, in addition to a Design and Access Statement, a context appraisal, context plan and analysis of the site will also be required."

Policy HER DM4 is also relevant as this site lies within an Area of Special Character. This states that:

"Within Areas of Character, as defined on the Proposals Map, planning permission or relevant consent will be granted subject to:

- a. The retention of buildings and other features such as boundary walls, hedges, trees, railings, open spaces, etc. which make positive contributions to the special character of the areas;
- b. The maintenance of an appropriate mix of uses where this is an important element in the character of an area;
- c. New development preserving, and where possible, enhancing the special character of these areas, particularly with regard to the characteristics identified by the Local Planning Authority."

It is also noted that the Areas of Special Character Supplementary Planning Guidance (SPG) document states that the Pagham Beach estate has an informality and distinctive seaside character imparted through the scale of development, the individual designs of buildings, the unmade roads and the surrounding Site of Special Scientific Interest (SSSI). The buildings are also almost all entirely detached and roof pitches rarely exceed 30°. The proposed roof pitch is around 25 degrees.

Policy 3 of the draft Pagham Neighbourhood Development Plan states that:

"The Neighbourhood Plan requires the scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, to reflect and enhance the architectural and historic character and scale of the surrounding buildings and landscape, as defined in the adopted Pagham Village Design Statement (VDS). Planning applications must include a flood risk assessment to demonstrate how a scheme will not increase pluvial or fluvial flood risk on any adjoining land, to the satisfaction of the local planning authority and the Environment Agency."

The Pagham Village Design Statement was adopted by the Pagham Parish Council in 2007 and is a material consideration in the determination of this application. The Statement breaks up the district into several character areas and does this by road name. The site falls within the Beach Estate area and the following design development criteria are therefore relevant:

- Preferably no greater proportion than 45% of curtilage should be covered by the overall building conglomerate footprint;
- Single-storey replacement dwellings only, one plot one bungalow;
- Preserve character of area;
- Front boundaries should contribute to overall street scene;
- Try to preserve views over sea or open land; and
- Exercise strict control over any roof development, including garages, in accord with previous development guidelines (ERA/ASC).

The proposed replacement dwelling will be larger in footprint than the existing but the increase is not considered to be significant particularly given the size of the application site (i.e. the dwelling in contrast to surrounding garden). Furthermore, the replacement dwelling, although higher remains a single storey bungalow with no attic accommodation. As such, it will be in character with surrounding dwellings within the Beach estate.

It is not considered that the dwelling will be particularly visible within either the Wythering Close streetscene or from Lagoon Road. It will have greater visibility from viewpoints around the lagoon to the west and northwest but as the design of the house is considered to be appropriate, it is not considered that there will be harm to any viewpoints. It is not considered that the proposed dwelling will be contrary to any of the criteria within the Pagham VDS and the proposal is also judged to be in accordance with Arun Local Plan policies D DM1, D SP1 and HER DM4.

RESIDENTIAL AMENITY:

Arun Local Plan 2011-2031 policy D DM1 requires that the Council have regard to certain aspects when considering new development including: (3) Impact - "Have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance." Regard should also be had to paragraph 127 of the NPPF which states that

"Planning policies and decisions should ensure that developments: (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."

Finally, one of the relevant development criteria within the Pagham Village Design Statement is that privacy should be maintained and overshadowing or overlooking neighbours avoided.

The replacement dwelling has been re-orientated so as to now back onto no. 2 Wythering Close rather than be side on. This has the potential to result in harm to the privacy of the neighbouring property. However, no. 2 has no flank windows which might otherwise be affected. Furthermore, with the proposed dwelling being only single storey, any new windows will be screened out by the boundary treatment and there will also not be any significant loss of light to the neighbouring plot.

It is therefore considered that the proposal is in accordance with policy D DM1 of the Arun Local Plan and the Pagham VDS. A planning condition will be added to prevent the later addition of dormer windows in the eastern roof elevation

INTERNAL & EXTERNAL SPACE STANDARDS:

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

The proposal is for a single storey, 4 double bedroom dwelling and the requirement is therefore 117m². The proposed floorspace has been calculated to exceed this figure and therefore is compliant with policy D DM2

ALP policy D DM1 refers to the need for compliance with the Arun Design Guide. This is to replace policy D DM3 "External Space Standards" which was deleted at the request of the Local Plan Inspector. Until such time as this Design Guide is published, there is no policy within the Arun Local Plan regarding private gardens sizes. In any case, this is an existing residential site with an existing large garden.

PARKING:

The neighbour had objected partly on the grounds of insufficient parking provision.

Arun Local Plan 2011-2031 Policy T SP1 seeks to ensure that development: provides safe access to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network. In respect of parking, it states that:

"The Council will support transport and development which: incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking"

The WSCC Parking Demand Calculator anticipates a demand of three parking spaces. The proposal only provides two designated spaces but there is considered to be space within the site to allow the parking of a third vehicle within the turning area. WSCC Highways do not raise any objection in respect of parking provision and also note that local highway safety would not be detrimentally affected through the potential for cars parked outside of the site. It is therefore considered that the proposal is in accordance with policy T SP1 of the ALP.

SUMMARY:

It is considered that the proposed replacement dwelling is acceptable having regard to local character, visual and residential amenity. There is also considered to be adequate off-road parking and no adverse effect on local ecology. It is therefore recommended that this application be approved subject to the conditions below.

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.

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;

"Location Plan" Rev D;

"Site Plan" Rev A;

"Proposed Site Plan" (including Tree Schedule & Drainage) Rev D;

"Proposed Cross Section BB" Rev A;

"Proposed Elevations South and West" Rev C;

"Proposed Elevations North and East" Rev C

"Proposed Ground Floor Plan" Rev A; and

"Proposed Section" (no Rev).

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 2011-31

- 3 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (Ref 1769-R2 - December 2017) and the following mitigation measure detailed within the FRA: Finished floor levels are set no lower than 3.775 metres above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to prevent flooding elsewhere, to ensure safe access/egress from/to the site and to reduce the risk of flooding to the proposed development and future occupants all in accordance with policy W DM2 of the Arun Local Plan 2011-31.

- 4 The development must be carried out in accordance with the submitted "Pollution Management Plan" (21/06/18) Ref 1735. The mitigation measures shall thereafter be permanently adhered to.

Reason: In accordance with Arun Local Plan 2011-31 policies W DM1, ENV DM1 and ENV DM2.

- 5 The development must be carried out in accordance with the mitigation measures in respect of surface water as detailed within the submitted "Drainage & Bin Storage/Collection Statement". The mitigation measures shall thereafter be permanently adhered to.

Reason: In accordance with Arun Local Plan 2011-31 policies W DM1, ENV DM1 and ENV DM2.

- 6 The development must be carried out in accordance with the mitigation measures set out within section 4.0 of the submitted "Preliminary Ecological Appraisal and Bat Scoping Survey"

(15/11/17). In addition, all site clearance works should be conducted during the season reptiles are active and all vegetation should be cut down to 10cm prior to any works taking place and then carefully cleared. Any dead wood, stony areas or rubble piles should be dismantled by hand and relocated under supervision of a suitably qualified ecologist. The approved enhancements and mitigation measures shall be retained and thereafter maintained.

Reason: In accordance with Arun Local Plan 2011-31 policy ENV DM5.

- 7 No development including construction activities shall take place unless and until all of the existing trees/hedges to be retained on the site have been protected by both a fence and suitable ground protection in accordance with BS5837 (2012) & Section 9 for erection around each tree, group of trees and vegetation to the Root Protection Area (RPA) as calculated in accordance with Table 2 of BS5837 (2012).

Within the areas so fenced off the existing ground must not be cultivated, nor must it be lowered or raised or added to by the importation and spreading of top soil unless agreed by the Local Planning authority. There must be no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority.

The fencing and ground protection must then be retained for the duration of the development works. Following the erection of the ground protection measures, the Councils Arboriculturist must be contacted in order that a site visit can be made to check the position of the protective fencing/ground protection measures.

Reason: To ensure the retention and maintenance of trees and vegetation; which are an important feature of the area in accordance with policy ENV DM4 of the Arun Local Plan 2011-2031. This must be a pre-commencement condition because any commencement of works could have the potential to harm trees.

- 8 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 proposed building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan 2011-2031.

- 9 No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development in accordance with Policy T SP1 of the Arun Local Plan 2011-31.

- 10 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The scheme should also minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Reason: In the interests of the biodiversity of the site (particularly in respect of bats) in

accordance with policy ENV DM5 of the Arun Local Plan 2011-31.

- 11 No removal of trees, shrubs or other vegetation that may contain birds' nests shall take place between 1st March and 31st August inclusive, unless a suitably qualified ecologist/wildlife specialist has undertaken a careful, detailed, check of vegetation for active birds' nests immediately before the vegetation is cleared and confirmed that no nests will be harmed. Where nests are discovered, the vegetation shall remain in place until nesting activity has ended naturally and the ecologist has confirmed that it is safe to proceed.

Reason: To prevent interference with the breeding success of wild birds in the interests of biodiversity conservation, as well as to ensure compliance with the legal protection of birds, their nests and eggs under Section 1 of the Wildlife and Countryside Act 1981, as amended, and in accordance with policy ENV DM5 of the Arun Local Plan 2011-31.

- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), (or any order revoking or re-enacting that Order) there shall be no extensions or alterations to the eastern facing roof plane unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the amenities of adjoining residential occupiers and the locality in general in accordance with policies D DM1 and HER DM4 of the Arun Local Plan.

- 13 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.

- 14 INFORMATIVE: The Environment Agency recommend that the owner/occupants sign up to the Environment Agency Flood Warning Service and have a flood evacuation plan in place.

- 15 INFORMATIVE: The Environment Agency recommend that consideration be given to use of flood mitigation measures to reduce the impact of flooding when it occurs. Flood mitigation measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. More information can be found in the communities and local Government publication 'Improving the flood performance of new buildings' which can be viewed at: <http://www.communities.gov.uk/publications/planningandbuilding/improvingflood>