

REPORT UPDATE

Application No: R/179/25/PL

Reason for the Update / Changes

25/02/26

Reasons for Update/Changes:

- One further objection was received from a previous objector.
- The condition to secure the proposed acoustic fencing conveyed by verbal update on 18/02/26 has been attached (See Condition 5).
- Following the deferral of the application at Planning Committee on 18/02/26, members were due to undertake a site visit.

Officers Comment:

The objection was sent directly to Officers and multiple Planning Committee members. The representation expressed views on the Planning Committee proceedings on 18/02/26, identified that the site visit for which the application was deferred would not likely occur during times of peak traffic, and that comments from Southern Water were not mentioned in detail at the Committee.

In terms of planning merits, the objection also reiterated many of those already raised and considered within the Officer's Report, but also highlighted concerns that the proposal is an overdevelopment of the plot, that a hedgerow once located along the boundary of the host plot was removed some time ago and has not be accounted for in the BNG report, and a photograph of a hedgehog using the current boundary line as a route to cross the garage compound has been provided.

As mentioned within the Officers report, given the scale and nature of the proposals, the surface water drainage requirements of the development will be addressed at the Building Regulations stage. Southern Water's comments were noted within the report update below, were read out at the last committee meeting, and were addressed in the officers comments section. The applicant will need to demonstrate at the Building Regulations stage, that a viable surface water drainage scheme is achievable and does not prejudice Southern Water's asset. From review of the sewer mapping and proposed details, this does not appear unviable even with consideration of a 5m buffer around the mapped location of the sewer.

From review of remote imaging dated 2012 and 2015, there appears to have been a hedge along the fence line to the northern end of the garage compound. However, the hedgerow is absent in remote imaging dated 01/04/19 and it appears to remain absent in subsequent years. The evidence would suggest that the hedging along this boundary fence was removed sometime between 2015 and 2019. The NPPG outlines that where the degradation of onsite habitat has occurred, the pre-development value of the onsite habitat can only be backdated as far as 30/01/20. As such, on the evidence before us, the hedgerow once found at this location should not be factored into the statutory BNG calculations.

The photographic evidence of hedgehogs using the existing fence line (which is to be removed) as a route along/through the garage compound is acknowledged. In light of this, Officers have discussed the matter with the Council's Ecologist. The Ecologist has advised that the removal of the fence is unlikely to represent any direct harm to this protected species, but that with knowledge that they may be using this location as a route through/into the garage compound, that it would be appropriate to seek small mammal holes to be formed within strategic locations at the bottom of the acoustic fencing proposed on the east and west side of the compound, so as to maintain a route into/through the site. As such, condition 4 has been reworded to secure details of these specific features. As was stated at Committee

an additional condition (5) has been added regarding the provision of the acoustic fence.

Following the deferral of the application at Planning Committee on 18/02/26 to enable a site visit, the following members and ward councillors attended the site for inspection on 24/02/25:

Cllr. Jill Long
Cllr. Martin Lury
Cllr. Simon McDougall
Cllr. Peggy Partridge
Cllr. Bob Woodman
Cllr. June Hamilton
Cllr. Mike Northeast

At the meeting, questions were asked in relation to the following matters:

- The specific differences between the previous application (R/163/23/PL) and the current proposal.
- The Sycamore tree to be removed and Officer views on on/off-site Biodiversity Net Gains.
- Surface water drainage.
- Turning circles and the displacement of existing informal parking arrangements.
- Land ownership.
- Access road maintenance.
- The height of the garages.
- The height of the acoustic fencing.
- Officer views on the overbearing impacts of neighbouring properties.
- Whether the proposed use of the garages was secured by condition.

Officers answered the questions raised, referring the Officer's report, the proposed plans and elevations, and identifying that Land Registry had been checked to verify the ownership of the land in question. It was also reiterated that matters such as the maintenance of private land and private rights of access are not material planning considerations.

Previous update 18/02/26

Reason for Update/Changes:

Consultation response from Southern Water received.

Officers Comment:

The response from Southern Water identified a public sewer that runs through the existing garage compound. While the exact location of the sewer is unknown, based on the mapping, it is not located where the garages are proposed. Instead, it runs north up through the garage compound before splitting at a 'T' junction and running east under the existing garages and west through and under No. 47 Old Manor Road.

Southern Water have advised that the sewer must be located on site in consultation with them and have provided contact details for the applicant to do so. They have also suggested that the Council's Building Control officers or technical staff should comment on the surface water drainage details of the proposals and provided advice regarding the siting of soakaways and Building Regulations requirements for surface water disposal.

Southern Water have also requested a condition to secure details of the proposed means of surface water run off disposal in accordance with Part H3 of Building Regulations hierarchy.

Due to the scale and nature of the proposals, the development does not meet The Local Planning Authority's threshold for providing a surface water drainage scheme and subsequent need for consultation with the Arun District Council Drainage Engineers. Matters related to the disposal of surface water will be covered at the Building Regulations stage and it is not necessary to attach the requested condition securing details of surface water disposal as it overlaps with the requirement outlined under the Building Regulations.

Based on the mapping provided by Southern Water, the proposals will not excavate or build atop the adjacent sewer. The applicant and relevant contractors will need to liaise with Southern Water to confirm its exact position and review any relevant requirements.

There are no changes suggested to the recommendation/conditions shown under the Officers Recommendation at the end of the attached report.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report.

Recommendation Report for Planning Permission

REF NO: R/179/25/PL

LOCATION: Land to the rear of
43 Old Manor Road
Rustington
BN16 3QS

PROPOSAL: Erection of 5 No. garages in two new buildings for the purposes of parking and domestic residential storage. This application is in CIL Zone 4 (zero rated).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to construct 5 No. garages in two blocks in the rear of a residential plot. Access would be via an existing garage compound to the rear of this plot that is itself accessed from the north side of Campbell Drive.
SITE AREA	600sqm.
TREES	1 No. Category C Sycamore tree within and on the southern boundary of 43 & 45 Old Manor Road.
BOUNDARY TREATMENT	Tall wooden boundary fence to the south boundary of 43 & 45 Old Manor Road that separates this plot from the garage compound to the rear. Approx. 1.9m tall painted wall to the east site boundary shared with 8 Manor Road (eastern neighbour). Tall wooden boundary fence to north boundary shared with 39 & 41 Old Manor Road.
SITE CHARACTERISTICS	The site is part of the garden of a residential plot featuring a two-storey, semi-detached building that comprises 2 No. flats split to the ground and first floors. This residential plot features a side driveway, front garden and large rear garden. The red edge of the site encompasses the back end of the garden and

the access road that serves the garage compound to the rear (this being the proposed access). The garage compound runs north to south with no throughway, and is accessed by vehicle from Campbell Drive to the south, and a pedestrian access into Laburnum Way to the east. The existing garage compound features three main blocks of garages: a block of 15 to the west of the compound, and two blocks of 5 and 9 garages, respectively, on the east side of the compound.

CHARACTER OF LOCALITY

The site is surrounded by residential development of mixed types. All are visually characteristic of traditional houses however, there is a mix of bungalows, flats, and two storey dwellings that are detached, semi-detached, or terraced. Also of particular note, is the proximity of the Rustington Community Primary School to the West of Old Manor Road.

RELEVANT SITE HISTORY

R/163/23/PL	Erection of block of 5 garages. This application is in CIL Zone 4 (zero rated) as other development.	Refused 16-11-23
R/255/22/PL	Erection of Garage Block. This application is in CIL Zone 4 (zero rated) as other development.	Refused 20-01-23

R/255/22/PL - This was refused for 7 No. garages in this location. This was a delegated refusal due to the number of garages, their siting, and subsequent vehicular activity, resulting in acceptable adverse impacts of residential amenity to both the host and adjoining properties.

R/163/23/PL - This sought to construct a block of 5 No. garages in a similar location to that of the current proposal. It was refused at Planning Committee due to detrimental impacts on residential amenity that would arise from the potential increases in vehicular activity and disturbance in proximity to the host and neighbouring properties.

OFFICER COMMENTS

This application has sought to address these concerns by redistributing the garages into to blocks, incorporating 2.5m acoustic fencing, and isolating access to be from the rear garage compound only.

REPRESENTATIONS

Rustington Parish Council - No objection:

- Expressed concern that the applicant may be proposing to use private land, of which it was understood that he had no ownership rights, as the entrance/exit route to the proposed garages.

14 Objections from nearby occupiers:

- The proposal seeks access over private land.
- The applicant has no right of access and would disrupt of rights of access.
- The access road is in a poor state of repair.
- The proposal will result in additional traffic and endanger pedestrians.

- The proposal will result in the displacement of existing parking arrangements.
- Concerns regarding biodiversity impacts.
- Concerns regarding flooding in the garage compound and potential drainage problems.
- Disruption during construction.
- Concerns the proposal will form a commercial use.
- Devaluation of existing properties.
- Noting residents will not be willing to grant access.

COMMENTS ON REPRESENTATIONS RECEIVED:

All relevant planning matters have been addressed within the conclusions section.

Upon receiving representations suggesting the applicant does not own the access road serving the existing garage compound included within the red edge of the plan, the ownership of this land was questioned with the agent, to which they have provided evidence that the access road is owned by a third party on which the relevant notice has been served, and the relevant ownership certificate has been signed. It is understood the existing garages are owned/leased by residents, but the access road itself belongs to a third part freehold owner on which the relevant notice has been served.

For clarity, the following matters that have been raised are not material planning considerations and, cannot be considered as part of the determination of this application:

- Land ownership disputes.
- Private rights of access.
- The disrepair of privately owned land.
- Devaluation of property.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSCC Highways - No objection:

- No visibility concerns at access from Campbell Drive.
- Access into and out of the proposed garages is suitable.
- During construction, access to existing garages should not be blocked, but this is not public highway land and it will be up to the applicant to ensure any building materials are kept in a location which does not impact on the existing use.

ADC Ecologist:

- The proposal results in a 100% loss in habitat units. The habitats in question are vegetated garden and two self-set Sycamores, all of which are of negligible ecological value. Provision of offsite Biodiversity Net Gain (BNG) units is required.
- No further surveys are required.
- Standard BNG condition requested.

Environmental Health - No objection.

COMMENTS ON CONSULTATION RESPONSES:

Noted. Whilst there is a 100% habitat loss that is represented by two sycamores and garden land. This can be replaced with an off site BNG provision.

POLICY CONTEXT

Within the Built-up Area Boundary.
Partially at risk of surface water flooding.

DEVELOPMENT PLAN POLICIES

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

DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
ENVDM5	ENV DM5 Development and biodiversity
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems

[Rustington Neighbourhood Plan 2014 Policy 2](#) Housing Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
-------	---

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.

All relevant policies within the Rustington Neighbourhood Development Plan have been considered.

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 complies with relevant Development Plan policies in that it is of a design and character that is reflective of the wider locality and does not result in any significantly adverse impacts of residential amenity.

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

There are no other material considerations of relevance to the application.

BIODIVERSITY NET GAIN

This application is liable for Biodiversity Net Gain (BNG) and the following is a summary of the key points:

- Loss of 100% of habitat units on site.
- Minimum 10% net gain in habitat units is to be secured by purchase of offsite credits.

CONCLUSIONS

PRINCIPLE

The site falls within the Built-up Area Boundary (BUAB) of Rustington in which the principle of development is acceptable in accordance with Arun Local Plan (ALP) policy SD SP2.

DESIGN AND VISUAL AMENITY

ALP policies D DM1 and D SP1 seek to ensure that developments make an efficient use of land whilst preserving or improving upon local character. Section J.01 of the Arun Design Guide (ADG) states density should be appropriate to location, balancing the need for efficient use of land with a design that responds to and enhances the existing character of the site or wider locality.

Policy 2 of the Rustington Neighbourhood Plan (RNP) requires proposals to reflect the architectural and historic character of the area in terms of scale, density, massing, height, landscape design, layout, and materials.

The proposal involves the construction five single storey; flat roofed garages split into a row of three and a row of two. It involves the removal of a Category C, multi-stem Sycamore tree, and boundary fencing to the southern side of the existing garden, along with the laying of permeable hardstanding which would allow access to the proposed garages.

The garages are to be approx. 2.6m in height, 3m in width, and 6m in depth, constructed of brick and to feature up-and-over garage doors. Existing garages in the compound are slightly smaller than those proposed, but the overall design and character of the proposed garages is consistent with those that already existing within the compound. A condition has been attached to ensure the brickwork used to the external elevations of the garages is consistent with the brickwork used for the existing garages, to ensure visual coherence.

The proposed hardstanding is limited in area, and it would connect immediately to the tarmac/asphalt that forms the existing access road through the garage compound. It is proposed to be a permeable hardstanding which is acceptable.

The proposal is of a scale, design, and character that reflects the existing garage compound, and would read as an extension of the existing. Whilst it may not serve to be a visual enhancement in accordance with Section J.01 of the ADG, the proposal remains in accordance with ALP policies D SP1 & D DM1 of the ALP, RNP Policy 2, and no harm to the visual amenity of the locality has been identified.

RESIDENTIAL AMENITY & USE

ALP policy D DM1 requires there be minimal impact to users/occupiers of nearby property and land. Policy QE SP1 requires all development to contribute positively to the quality of the environment and ensure development does not have a significantly negative impact on residential amenity or the natural environment.

The siting of the proposed garages would occupy the rear of what is currently a residential garden serving 43 & 45 Old Manor Road. This would result in the loss of a significant portion of existing private rear amenity space. These two flats would, however, retain a rear garden that is 11m in depth and 9m in width. These dwellings benefit from a small front garden amenity space. Section H of the ADG suggests dwellings feature a minimum rear garden depth of 10.5m and that communal shared gardens remain a minimum of 40sqm with an additional 10sqm for each unit using the garden. While this usually applies to Houses in Multiple Occupation, there is no alternative guidance for amenity spaces shared by two independent flats. The rear amenity space would remain adequate in size and is greater in area than many smaller rear amenity spaces found within the locality.

The use of the garages has been identified as being for 'parking and domestic storage' and a condition to ensure the use remains as such has been attached. The proposed use has been supported by a Noise Impact Assessment to assess the potential disturbance to neighbouring residential properties. Environmental Health are satisfied with the assessment and its findings and has raised no objections. The scheme includes the provision of 2.5m acoustic fencing to the rear of the gardens at 43 & 45 Old Manor Road and a short section along the eastern boundary in front of the garages to the east.

Due to the scale and siting of the proposal, there would be some adverse impact by way of overbearing and overshadowing on the host and neighbouring residential properties. The impacts to the garden of the host units are limited, but the rear amenity space of 8 Manor Road (to the east), whose side boundary abuts the proposal, requires particular consideration.

The eastern most garage and short section of acoustic fencing would run along the side boundary of 8 Manor Road at a height of 2.6m and 2.5m respectively, cresting the existing shared boundary wall. This would be a notable visual change for the occupiers of No.8, as physical form would run length of their western boundary at a height that exceeds the existing boundary wall. This would result in some adverse impact to residential amenity and sense of enclosure, but the single storey and flat nature of the structures, would mean that the rear amenity space and rear elevation windows would still receive adequate light, and the adverse impacts by way of overbearing, would not be so harmful that they would be significantly adverse. It is also of note that 2.5m high outbuildings can typically be constructed immediately adjacent to shared residential garden boundaries without planning permission, and that such an occurrence is not, therefore, abnormal for an urban residential setting.

Due to the nature of the development, there would be no adverse impacts by way of overlooking or loss of privacy.

On a site in Littlehampton an appeal against LU/385/22/PL (Construction of 3 No. garages within an existing garage compound) was allowed with conditions following the refusal. The reason for refusal was as follows:

- 'The proposed garages by reason of their excessive number, siting in close proximity to the host and neighbouring residential properties and the significantly increased vehicular activity and disturbance will result in an unacceptable detrimental impact on the residential amenities of existing neighbouring residential occupiers in conflict with Policies D DM1 and QE SP1 of the Arun District Local Plan, the Arun Design Guide and the National Planning Policy Framework.

The Inspector stated the following in relation to noise and disturbance:

- 'Aside from three steel 'up and over' garage doors, there would be no means of significant noise break out arising from parking or storage use in the garages. There is nothing definitive to suggest that opening or closing the garage doors would be excessively noisy; other than that noise would escape through an open door...'
- There is no evidence that opening or shutting car doors, starting car engines or manoeuvring cars in and out of the garages and across the courtyard would be anything more than infrequent or transient in nature (including during hours of darkness). Albeit a snapshot during the day, this is what I saw in the courtyard and others nearby so it would not be unusual or unexpected. A planning condition could prevent potentially more intensive or intrusive use of the garages for commercial purposes.

Given the similarity of this proposal to that of the above appeal decision, weight has been given to its determination, particularly in relation to noise and disturbance, and Officers do not consider that the reason for refusal under R/163/23/PL would be reasonable or could be defended at an appeal.

With respect to neighbouring amenity impacts, the proposal would not give rise to significantly adverse impacts on residential amenity and is compliant with ALP policies D DM1 & QE SP1 of the ALP.

One of the principles setting the context for RNP Policy 2 states that 'Development should not impact on surrounding properties but should seek to maintain privacy and alleviate possible noise issues to existing neighbouring properties as well as seek to lessen its impact on the surrounding area'. In this instance, the impacts on neighbouring properties have been concluded as acceptable.

TRANSPORT & PARKING

ALP policy T SP1 seeks to ensure development provides safe access on to the highway network; contributes to highway improvements (where appropriate) and promotes sustainable transport.

The proposed use of the garages is for 'parking and domestic storage'. The internal dimensions of the garages are approx. 2.8m x 5.7m, which is slightly below the minimums set out in Section I of the Arun Design Guide (ADG) to be used for the storage of cars. However, these are standards and do not necessarily consider the storage of smaller motor vehicles/cars. Non-compliance with the internal dimensions recommended to store modern cars is not itself a reason for refusal in this context, as there is not development specifically dependant on the provision of these garages and their ability to facilitate parking.

The proposals would not alter the existing formal parking arrangements of the host site, and while residents have expressed concerns that their ability to park in front of their garages at the northern end of the existing compound would be lost; so as to access to the proposed garages, parking within the land in front of the existing garages appears to be an informal arrangement, and the displacement of 1-2 No. cars to residential streets in the area would not result in any unacceptable highway safety impacts. There are no parking restrictions along Campbell Drive, Manor Road, or most of Old Manor Road, albeit these roads often see large amounts of on-street parking due to the nature of the residential developments in the area and the presence of the Primary School to the west.

WSCC highways have been consulted on this application and have raised no concerns in respects of visibility, parking, or highways safety.

The garage compound may see a resultant intensification of use from the additional garages; however, the intensification would be limited and would not materially or unacceptably alter the number of vehicular movements to and from the garage compound.

The proposal does express that some of the garages may be let/leased to local residents for a parking opportunity which may help with on-street parking pressures in the vicinity. However, as such an arrangement could not be secured without relevant legal agreements, this is afforded very limited weight.

The proposal is in accordance with ALP policy T SP1 and Para 116 of the NPPF. Thus, there are no transport or highways grounds to refuse the proposal. Additionally, when Committee considered R/163/23/PL, it was concluded that there were no unacceptable highways or parking impacts as there was no reason for refusal on these grounds.

BIODIVERSITY NET GAIN & TREES

The proposal is subject to the requirements of Statutory Biodiversity Net Gain (BNG) and is required to achieve a measurable 10% gain in biodiversity.

ALP policy ENV DM5 requires all development proposals to achieve a net gain of biodiversity and to preserve protected species where they are identified on site.

The proposal involves the removal of 1 No. multi-stem, self-seeded, Category C Sycamore tree. It sits on the boundary of a residential garden and the existing garage compound. It is visible from within the garage compound but has little visual presence within the public realm otherwise. The tree is out of context, of little ecological and amenity value, and its loss would not be of significant detriment to the amenity of the locality. It is not subject to a TPO nor in a Conservation Area and its removal is acceptable. As the tree forms part of a private residential garden at present, its loss could not likely be resisted outside of the planning context.

As the site is largely private residential garden and hardstanding, there is limited opportunity for meaningful compensatory planting or for delivering measurable on-site BNG. Given the low ecological and amenity value of the Sycamore tree, the restricted scope for replacement planting, and the fact that a 10% net gain would be secured off-site, Officers are satisfied that on-site compensatory planting or measurable on-site BNG is not required. However, a condition has been imposed requiring details of on-site ecological enhancements, such as an insect hotel, to ensure some ecological benefit is provided to help offset, in part, the loss of the tree.

Due to the nature of the development site and the limited scope for onsite BNG gains, Officers are satisfied that the requirements for a measurable 10% net gain in biodiversity can be accounted for by way of purchasing offsite credits. This is to be secured by the statutory BNG condition.

While the proposal is in conflict with ALP policy ENV DM5 in that it would not provide an onsite biodiversity net gain, the proposals, subject to conditions, would achieve a net gain overall and provide compensatory ecological enhancements for the loss of the tree.

FLOOD RISK

Part of the access road through the garage compound is subject to low-high surface water flood risk, however, this area of risk does not extend to the proposed garages nor their forecourts.

Vehicles/persons seeking to access the garages would require access through this road, but since the proposals would be safe from this flood risk throughout its lifetime and access to the garages would be non-essential in a flood event, there is no harm identified by virtue of access being through this area of surface water flood risk.

The proposals will include permeable hardstanding which will allow natural drainage to ground rather than an impermeable surface, and the garages themselves would be subject to Building Regulations requirements in respects of the surface water that needs to be drained from the roofs of the proposals.

The proposal is in accordance with ALP policies W DM2 and W DM3.

SUMMARY

The proposal is compliant with relevant Development Plan policies and as such, it is recommended for approval subject to the following conditions and informatives.

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 not CIL liable.

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 MSA-029-00-0000.
- Proposed Site Plan MSA-029-01-0010.
- Proposed Plans MSA-029-20-0001.

- Proposed Elevations MSA-029-21-0001.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.

- 3 No development above slab level shall take place unless and until a detailed colour schedule of materials and finishes to be used for external walls and roofs of the proposed buildings have been submitted to and approved in writing 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 and character and appearance of the area by endeavouring to achieve a building of visual quality in accordance with Arun Local Plan policy D DM1.

- 4 Prior to the first use of the garages hereby approved, a Biodiversity Enhancement Layout, providing the details and location(s) of ecological enhancement measure(s) to be installed on site, including but not limited to, the provision of small mammal holes within strategic locations on the acoustic fencing to be installed, shall be submitted to and approved in writing by the Local Planning Authority.

The enhancement measures shall be implemented in accordance with the approved details prior to the first use of the garages and shall be retained in that manner thereafter.

Reason: To mitigate against impacts on protected species and to provide some ecological enhancement of the overall site in accordance with Arun Local Plan policy ENV DM5.

- 5 Prior to the first use of the garages hereby approved, the acoustic fencing proposed shall be installed in accordance with the approved Site Plan (Proposed Site Plan MSA-029-01-0010) and shall be retained thereafter.

Reason: In the interests of preserving neighbouring residential amenities in accordance with Arun Local Plan policy QE SP1.

- 6 Notwithstanding the provisions of any Town and Country Planning General Development Order or Use Classes Order (or any Order revoking or enacting that Order), the use of the garages hereby permitted shall be restricted to parking and domestic residential storage.

Reason: To enable the Local Planning Authority to consider the acceptability of alternative use, in accordance with Arun Local Plan policies D DM1 and QE SP1.

- 7 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (the biodiversity gain condition) that development may not begin unless:

1. A Biodiversity Gain Plan has been submitted to the planning authority, and
2. The planning authority has approved the plan.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>

- 8 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning

(Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.

- 9 **INFORMATIVE:** Pursuant to the discharge of Condition 4, the applicant is advised that the condition can apply to land within the blue edge on the submitted plans.