

Recommendation Report for Planning Permission**REF NO:** R/91/17/PL**LOCATION:** The Spires
Springfield Close
East Preston**PROPOSAL:** Erection of 2 No. dwellings with 2 No. detached garages**SITE AND SURROUNDINGS****DESCRIPTION OF APPLICATION**

The proposal relates to the provision of 2 detached 2 storey dwellings of similar design in the garden of the dwelling. They would be located to the rear and side of the property. Each dwelling would have 5 bedrooms and a detached garage which would accommodate vehicle and cycle parking.

SITE AREA

0.9 hectares

RESIDENTIAL DEVELOPMENT DENSITY (NET) 22 dwellings per hectare**TOPOGRAPHY**

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

Hedging to approx. 2-3m is located along site boundaries

SITE CHARACTERISTICS

The application site comprises a large detached dwelling with painted brick and stonework elevations of 2 storeys with gardens to the front, rear and sides. The site is flat and some of the trees within the site are covered by a Tree Preservation Order

CHARACTER OF LOCALITY

The area is part of a residential street comprising a mixed character with large detached properties of mainly 2 storeys set in large plots set back from the highway with gardens to front, side and rear within a suburban environment

RELEVANT SITE HISTORY

R/132/96	New dwelling and garage.	ApproveConditionally 09-09-1996
R/165/15/PL	Part demolition of existing house &	Refused

	construction of 4 No. new dwellings within grounds.	23-10-2015
R/164/68	Additional accommodation for private domestic use	ApproveConditionally 05-09-1968
R/162/82	Garage extension & maids flat	ApproveConditionally 22-09-1982
R/206/83	Amendment to existing permission constituting a revised roofline & new window to attic space maids flat & exten garag	ApproveConditionally 07-09-1983

REPRESENTATIONS

Representations received:

Rustington Parish Council

No Objection

6 Objections - Access from Cross Road is narrow, overgrown and unmade and not suitable to accommodate heavy construction vehicles. These should be re-routed to come from Springfield Close. There are many mature trees on the site some protected any amendments should not result in their loss. Unclear as to legal right of access.

Although conifer trees to western boundary of plot 2 are not proposed to be removed they should be retained in the future given their habitat, windbreak and visual interest.

The proposed garage block serving plot 2 would involve a breach of covenant

Concern over size of properties.

Would result in perceived and actual overlooking and loss of outlook.

This is backland development

Plot 2 should be relocated closer to the Spires to minimise impact on Pigeonhouse Lane properties. The property should be moved further to the south and east.

No biodiversity has been completed.

The tree survey is unclear in that it classifies the trees on the western boundary of Plot 1 as category C- trees of LOW quality and value. Yet para 5.4.8 of the ECE document refers to negligible impact on surrounding properties through the retention of existing MODERATE value trees (i.e. category B) to avoid overlooking. This is clearly inconsistent there are no trees shown on the western boundary shown as Category B which suggests overlooking of properties on the western boundary (i.e. Pigeonhouse Lane) will occur. Whilst they may be Category C trees they are home to varied species of wildlife and there appears to be no reference to this in the papers.

The draft site plan from Smalley and Hales Architects shows existing trees to the west which again contradicts other documents.

Comments on Representations received:

Breaches of covenants and rights of access are private legal matters.

Adequate distances are provided to neighbouring dwelling boundaries to preclude any materially adverse overlooking or overbearing effects resulting and it is considered that the plot and dwelling sizes are appropriate and in keeping in this location.

The applicant's were requested to submit supporting information with respect to biodiversity and the Preliminary Ecological Appraisal Survey (May 2017) and Bat Roost Survey were submitted accordingly and formed the basis for consultation with the Ecology Officer.

The majority of trees along the site boundaries are to be retained and even without the retention of some of the lower category trees the separation distances proposed would be adequate in terms of visual and residential amenity.

CONSULTATIONS

Engineering Services Manager
Engineers (Drainage)
Arboriculturist
Ecology Advisor
WSCC Strategic Planning
Conservation Officer

Consultations responses received:

Ecology Officer - Within the Preliminary Ecological Appraisal Survey (May 2017) a badger sett has been identified onsite within the north east corner and is within 20m of the new dwelling and likely to be disturbed by the works. It is recommended that a badger survey is undertaken and imposed by planning condition. However following Natural England's guidance this process is not suitable and we require that the Badger survey is undertaken PRIOR to determination. NE guidelines state that a badger survey should be undertaken if there are signs of setts or badgers in the development site or nearby.

In this circumstance as a badger sett has been identified a further survey is needed. The survey should be undertaken by a suitable qualified ecologist and should include monitoring the sett over a four week period to see if it is active. If the sett is active we will require that a mitigation strategy is produced and submitted as part of the planning application. The applicant should also be aware that a NE licence will be required before any disturbance can take place.

Reptiles- As detailed within the Preliminary Ecological Appraisal Survey (May 2017) there is a moderate likelihood of reptiles within the site. Due to the protection reptiles hold the applicant will need to either have a reptile activity surveys undertaken by a suitably qualified ecologist or assume reptiles are onsite and have a mitigation strategy for reptiles produced and submitted with the planning application prior to determination. The mitigation strategy will need to include details of reptile fencing, translocation methods, the translocation site / enhancements and the timings of the works.

Bats - The Bat Roost Assessment Survey has detailed that the only building with potential for roosting bats is building 6. Current proposals do not include this building and no disturbance will take place. However if this changes further bat activity surveys will be required and Natural England consulted.

The Roost assessment did however identify a number of trees on site with roosting potential including one tree which is due to be removed. We require that this tree is either retained and protected from harm, or a further bat activity survey is undertaken on the tree prior to determination. This survey needs to be undertaken by a suitably qualified ecologist during the active breeding period (May - September) and submitted for our approval with the planning application. If bats are found to be roosting within the tree, mitigation will be required and a mitigation strategy should be produced and also submitted with the planning application prior to determination.

The lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should 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.

Nesting Birds - Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time an ecologist will need to check the site before any works take place (with 24 hours of any work).

Conservation Officer - A well-defined front building line provides a sense of unity and consistent enclosure to the streets in the vicinity of the proposal site. With the exception of The Spires and The

Grange, the local context is typified by well-spaced frontage buildings which maintain an active sense of engagement with the street. Each is accessed via a private driveway and sits in a softly landscaped setting, with uncluttered rear gardens having a cohesive relationship and forming tranquil, green spaces to the rear of the frontage development.

New construction in backland spaces of this kind has unavoidable impacts on local character, as it intensifies the present level of development and introduces an alien developmental pattern. New focal points are created and increased activity levels generated in what were intended to be quiet, secluded spaces. In this context, backland development would usually be considered entirely inappropriate.

However in this case, precedent has been set by the backland location of The Grange, to the north-west of The Spires. Given that precedent, the subdivision of the site now proposed results in a consistent urban grain and a locally appropriate level of development.

Although the special interest of the existing Wells development may not be immediately apparent, a sensitive design philosophy is set out in the DAS and while avoiding mimicry, the proposed architectural treatment is informed by history and context. The two new dwellings are scaled to complement neighbouring models and a good quality, locally appropriate materials palette is specified.

the importance of high quality, locally appropriate design is emphasized in Section 7 of the NPPF, with para. 58 advising that new development should establish a strong sense of place and para. 60 noting that it is proper to seek to promote or reinforce local distinctiveness. Although the backland element of the proposal is contrary to the established pattern of development, care has evidently been taken to effectively integrate the two new dwellings in to the local context and there is no further objection in terms of:

- Arun District Council Local Plan 2003 Policy GEN 7
- Local Plan 2014 Policy D DM1

County Highways - The current proposal is for retention of existing dwelling and erection of two new dwellings (3 total). A new access on to the private Springfield Close is proposed for plot 1 and the existing access from Cross Road, also privately maintained, will be utilised for plot 2.

As the site is accessed from private roads, not maintained at the public's expense, these comments in respect to the planning application should be taken as advice only.

From inspection of the plans and local mapping, there appears to be no apparent visibility issue at the points of access onto the private roads or at the nearest junction with the public highway. I have also checked the most recently available verified accident records, which reveals there have been no personal injury accidents in the vicinity within the past 5 years.

Sufficient parking and turning space is shown within the confines of each plot and the applicant has stated that garages will be of sufficient dimensions to also accommodate secure and covered bicycle storage.

Drainage Engineers - No Objection. Condition and Informative requested.

Comments on Consultation responses:

- comments noted. The comments of the Ecologist request submission of further surveys prior

to a decision being reached in accordance with Natural England's Guidance. However it is considered that it would be appropriate to condition the badger sett investigation and mitigation, reptile survey and mitigation and the presence of bats in the potential roost tree identified for removal, T06 which is a 'U' category tree. The Local Planning Authority would therefore retain control and no development can commence until any surveys and consequent mitigation have been undertaken.

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area
Tree Preservation Order
No public sewer

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) [GEN7](#)
[GEN9](#)
[GEN12](#)
[GEN28](#)

The Form of New Development
Foul and Surface Water Drainage
Parking in New Development
Trees and Woodlands

[Publication Version of the Local Plan \(October 2014\):](#)

D DM1 Aspects of Form and Design Quality
D DM2 Internal Space Standards
D DM3 External Space Standards
D SP1 Design
ENV DM4 Protection of Trees
ENV DM3 Non Designated Sites
ENV DM5 Development and Biodiversity
HER SP1 The Historic Environment

[Rustington Neighbourhood Plan 2014 Policy 2](#)
[Rustington Neighbourhood Plan 2014 Policy 4](#)

Housing Design
Sustainable Drainage

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE

RDS

Rustington Design statement by Rustington Parish Council

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation may be a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version)

October 2014 were approved by the Council on 22nd March 2017 and consultation on these is taking place 10 April 2017 to 5pm on Tuesday 30 May 2017. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used are material considerations in the determination of this planning application. The emerging Plan was submitted in January 2015 and the examination is currently suspended. The examination is due to re-commence in summer 2017 following publication of modifications to the Plan.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

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. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Policy 2 of Rustington Neighbourhood Plan is considered relevant.

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

Background

The proposals include the demolition of a total of 6 outbuildings associated with the existing dwelling, the removal of the existing swimming pool, the retention of the existing house known as 'The Spires' and the erection of a further 2no. 5-bedroom family houses with detached garages.

The proposals are considered to make efficient use of a brownfield site, resulting in two new dwellings which will be suitable for family occupation. This therefore responds to National and local planning policy and guidance that seeks to 'focus development towards previously developed land and to maximise the efficient use of such land in the delivery of residential development to meet housing need'. The NPPF is a material consideration in the determination of planning applications.

Paragraph 14 of the NPPF places a presumption in favour of sustainable development and states that;

"At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. The proposal is considered to represent sustainable development and therefore a presumption in favour of approval exists for this application.

Planning History

The principle of development has been established on this site under planning reference R/120/03 for 3 dwellings. This application follows an earlier refused application R/165/15/PL which was refused on the lack of an affordable housing contribution, the impact on protected species and for the following reasons:

'The site by virtue of its size and shape, is considered unsuitable to accommodate 4 dwellings and private amenity space satisfactorily without damaging the setting of the heritage asset or the character of the area. The proposal would therefore result in an unduly cramped form of development contrary to policy GEN7 of the Arun District Local Plan, policies DDM1, DSP1 and

HERSP1 of the Emerging Local Plan and the National Planning Policy Framework.

Having regard to the identical design of all of the dwellings and their 3 storey height the proposed development would be out of keeping with the visual amenities and character of the area contrary to policy GEN7 of the Arun District Local Plan and policies DDM1, DSP1 and HERSP1 of the Emerging Local Plan.

The layout and siting of the proposed development would result in loss of important boundary screening and trees of value to the local landscape which are subject to a Tree Preservation Order, in conflict with policies GEN7 and GEN28 of the Arun District Local Plan and policies DDM1, DSP1 and ENV DM4 of the Emerging Local Plan.'

Affordable housing contributions are no longer sought by the Local Planning Authority. The application also now includes a Preliminary Ecological Appraisal Survey Report and Bat Roost Assessment Survey.

This proposed scheme seeks to accommodate an additional 2 dwellings (a reduction in the number of proposed dwellings by 2) with large private amenity spaces in the grounds of the existing dwelling, as well as retaining the existing dwelling. Plot 1 is proposed to be positioned 20metres away from the existing dwelling while Plot 2 is proposed to be positioned 19metres away. To further retain the setting of the existing dwelling and the character of the area, hedgerow and trees are to be retained and planted to enclose the dwellings. This includes removing the existing pond and extensive paved area associated with the existing dwelling in order to create a deep planting area with a row of new trees and shrub planting to separate Plot 2 and the existing dwelling.

The height of the dwellings has now been amended to 2 storeys in height and the design is no longer identical design. The dwellings are of separate high architectural quality design which results in development that is sympathetic to the design of each of the proposed plots, the existing dwelling and the general area.

With regard to the loss of important boundary screening and trees of value to the local landscape which are subject to a Tree Preservation Order, the proposals have now been designed in order to minimise impacts on the existing trees. This is supported by an Arboricultural Impact Assessment and Method Statement and Tree Retention and Protection Report.-

Visual Amenity and Character

In terms of design it is considered that the dwellings fully respond to the context of the site, reflecting the architectural styles and massing of nearby properties as well as using the highest quality materials to be consistent with the local context.

The site falls within 'Character Area 5' of Rustington Village Design Statement which is identified as an area 'characterised by low density large detached houses in private estates'. The document does not particularly relate to the 'eastern' side of Character Area 5 but mostly focuses on the 'western' side. It is considered that the proposal is compliant with this policy on the basis of the proposed plot sizes in relation to those adjoining and house design. Decorative brick arches and tile creasing courses have been incorporated to link the house to the Arts and Crafts and the

detailing of the 20's and 30's found on the estate.

Policy 2 of Rustington Neighbourhood Plan relates to Housing Design and states that 'development proposals (including alterations to existing buildings) will be supported, provided that their scale, density, massing, height, landscape design, layout and materials reflect the architectural and historic character and scale of the surrounding buildings and landscape. Proposals must also comply with the parking standards adopted by the planning authority.'

The proposed development comprises 2 detached dwellings of similar and sympathetic design within the garden of the existing dwelling. The number of units proposed would be acceptable and would create individual plot sizes in keeping with the spacious character of adjoining plots and the estate generally. The dwellings would be roughly aligned with adjacent dwellings and located to be in keeping with the pattern of development on the locality. The size and design of the properties and their use of traditional materials is in keeping with the character of the area. The 2 storey height is also in keeping with the character of the area which comprises 2 storey dwellings of varying design.

In addition The Spires is a large detached dwelling of architectural merit which is considered a Heritage Asset. No demolition of the dwelling is now proposed and the position of the dwellings and comparative plot sizes no longer adversely affect its setting or historic interest.

Impact on Trees

Much of the site contains protected trees and several category A and B trees. The proposal would result in removal of 2 trees due to their condition, Category 'U' and a further category 'C' trees are proposed for removal to accommodate the development. The proposed layout has been designed to minimise the impact on tree loss and retain Preserved trees where possible. Previously a total of 9 category A and B trees were proposed to be removed. The impact on trees is not considered to be significant since most of the mature and established tree screening would be retained. The proposal also includes the retention of trees on the western boundaries of the site which could provide a buffer and screening to the access and dwelling to the north which is important in terms of visual and residential amenity.

Residential Amenity

The proposed dwellings would be sited adequate distances from the site boundaries to preclude materially adverse overbearing and overlooking results to adjoining residential properties. Most of the existing trees and hedgerows on site are to be retained to create thick natural barriers between the dwellings, especially to the north and west of Plots 1 and 2.

Plot 1 is located 20m to the west of the existing dwelling and a minimum of 35m (west flank elevation proposed to rear elevation existing) from those properties on Pigeonhouse Lane to the west. The new dwelling would also be 35m south of 5a Springfield Close, to the north. It is also proposed to provide a new hedge between Plot 1 and the existing dwelling. Plot 1 has also been positioned so that there is a separation from this new hedge and the dwelling, ensuring that there is a large distance from 'The Spires'

There is a significant degree of separation in combination with the retention and enhancement of the mature tree boundaries to the site will ensure the amenities of existing residents to the north and west are respected fully. Plot 2 is located 19m to the north of the existing dwelling and a minimum of 34m (north flank elevation proposed to rear elevations existing) from those properties

on Cross Road to the north. In addition, the north elevation of Plot 2 has been designed with a sloping extending to the northernmost extent of the dwelling. This results in a low eaves height at its closest point with properties on Cross Road of approximately 3.6m in height. The dormer proposed to this elevation serves a family bathroom and would be obscure glazed to prevent overlooking. The new dwelling would also be a minimum of 26m east of 5a Springfield Close, separated also by retained mature tree screening. The new dwelling would be over 60m west of the nearest properties on Angmering Lane, separated again by mature tree screening that would be retained in the majority through the proposed development. It is therefore considered that the proposed Plot 2 will have no adverse impact on the amenities of neighbouring residents to the north, east or west.

The garden areas and internal room sizes are acceptable in terms of compliance with policies DDM2 and DDM3 of the Emerging Local Plan

Highways

The proposal is acceptable to County Highways in terms of access and parking.

Drainage

Policy 4 is concerned about 'sustainable drainage' and states that 'development proposals likely to affect surface water drainage will be supported, provided they are able to demonstrate that they include one or more of the following sustainable drainage design features as appropriate for the ground conditions:

- i. Permeable driveways and parking areas;
- ii. Water harvesting and storage features;
- iii. Green roofs; and
- iv. Soakaways.'

The proposal includes two of the above mentioned sustainable drainage design features; soakaways and permeable driveways/parking areas. Surface water will be drained through soakaways in accordance with the building regulations and the parking areas will have permeable finishes. The Council's Drainage Engineer has no objection to the proposal .

Ecology

APreliminary Ecological Appraisal Survey Report and Bat Roost Assessment (May 2017) have been submitted as part of the proposal. Following receipt of surveys and the comments of the Ecologist in accordance with Natural England's Guidance, it is considered that it would be appropriate to condition the badger sett investigation and mitigation, reptile survey and mitigation and the presence of bats in the potential roost tree identified for removal, T06 which is a 'U' category tree. In imposing these pre commencement conditions the Local Planning Authority would retain control and no development can commence until any surveys and consequent mitigation have been undertaken and considered by the Council.

It is considered that the proposals satisfactorily address the previous reasons for refusal. The application is therefore recommended for approval subject to the following conditions

HUMAN RIGHTS ACT

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 1438/01, Block Plan 1438/02B, Site Plan 1438 003 A, Plot 1 Proposed Ground Floor 004, Plot1 Proposed First Floor 005, Plot 1 Roof Plan 006, Elevations 009A, Plot 1 South Elevation 008A, Plot 1 Proposed North Elevation 007A, Plot 2 Proposed Ground Floor Plan 010, Plot 2 Proposed First Floor Plan 01, Plot 2 Proposed North Elevation 015, Plot 2 Proposed South Elevation 016, Plot 2 Proposed West Elevation 014, Plot 2 Proposed East elevation 013, Plot 2 Proposed Roof Plan 012, Proposed Garages 08A, Proposed South Street Elevation and Gates 017 , Tree Constraints Plan LLD1149/01 rev01 and Tree Retention and Protection Plan LLD1149/02 rev01.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.

No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 4 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.'

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 5 Prior to development commencing a badger survey must be undertaken and submitted to the Local Planning Authority. This survey should be undertaken by a suitable qualified ecologist and should include monitoring the sett over a four week period to see if it is active. If the sett is active a mitigation strategy will also be required and submitted for consideration. The applicant should also be aware that a NE licence will be required before any disturbance can take place. The development must proceed in accordance with the approved mitigation.

Reason: It is necessary for this to be a pre commencement decision to safeguard the ecology of the area, and in the interests of animals to ensure that a habitat remains for them during and after development in accordance with policy GEN7 of Arun District Local Plan

- 6 Prior to commencement of development either reptile activity surveys shall be undertaken by a suitably qualified ecologist or a mitigation strategy for reptiles shall be produced and submitted to the Local Planning Authority for consideration. The mitigation strategy will need to include details of reptile fencing, translocation methods, the translocation site / enhancements and the timings of the works. The development shall proceed in accordance with the approved details.

Reason: It is necessary for this to be a pre commencement decision to safeguard the ecology of the area, and in the interests of reptiles to ensure that a habitat remains for them during and after development in accordance with policy GEN7 of Arun District Local Plan

- 7 Tree T06 shall be retained and protected from harm until a further bat activity survey is undertaken on the tree. This survey must be undertaken by a suitably qualified ecologist during the active breeding period (May - September) and submitted for approval prior to commencement of development. If bats are found to be roosting within the tree, mitigation will be required and a mitigation strategy should be produced and submitted for approval. The development shall proceed in accordance with the approved details.

Reason: It is necessary for this to be a pre commencement decision to safeguard the ecology of the area, and in the interests of bats/birds to ensure that a habitat remains for them during and after development in accordance with policy GEN7 of Arun District Local Plan.

- 8 The development shall proceed in accordance with the submitted Arboricultural Impact Assessment and Method Statement dated 13-04-2017 and Tree Constraints Plan LLD1149/01 rev01 and Tree Retention and Protection Plan LLD1149/02 rev01.

Reason: To ensure retention of the preserved and important tree coverage in accordance with policies GEN7 and GEN28 of Arun District Local Plan.

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

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 10 No development shall be carried out until all buildings and structures existing on the application site at the date of this permission have been demolished, the debris removed from the site and the site cleared.

Reason: In the interests of the amenities of the locality in accordance with policy GEN7 of the Arun District Local Plan.

- 11 .No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,
- the anticipated number, frequency and types of vehicles used during construction,
 - the method of access and routing of vehicles during construction,
 - the parking of vehicles by site operatives and visitors,
 - the loading and unloading of plant, materials and waste,
 - the storage of plant and materials used in construction of the development,
 - the erection and maintenance of security hoarding,
 - the provision of wheel washing facilities and other works required to mitigate the impact

of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),

- details of public engagement both prior to and during construction works
- hours of operation

Reason: In the interests of highway safety and the amenities of the area. It is considered necessary for this to be a pre-commencement condition because any works on the site could result in congestion or impede access onto a classified road which could compromise highway safety.

- 12 INFORMATIVE: Drainage Engineers advise that Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE 365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 30% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Supplementary guidance notes are also available on request.
- 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 applicant is advised to contact the proprietor of Springfield Close to obtain formal approval to carry out the site access works on the private close.
- 15 INFORMATIVE: There is a possibly a highway drain located within the verge on the southern boundary. This may be affected by the proposed new access road and hence may require concrete protection. It would be wise to also verify its condition.
- 16 INFORMATIVE: The lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should 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.
- 17 INFORMATIVE: The Bat Roost Assessment Survey has detailed that the only building with potential for roosting bats is building 6. Current proposals do not include this building and no disturbance will take place. However if this changes further bat activity surveys will be required and Natural England consulted.
- 18 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

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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.