

Recommendation Report for Planning Permission

REF NO: WA/18/19/PL

LOCATION: Land Adjacent
1 Orchard Way
Fontwell
BN18 0SH

PROPOSAL: Erection of 2 No. detached dwellings, adaptation to existing crossover & new driveway (resubmission following WA/58/18/PL).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposal is to erect 2 detached, 2 storey, 4 bedroom dwellings on land which currently forms part of the side garden of 1 Orchard Way. Each of the dwellings would comprise facing brickwork and a tiled roof. The dwellings would be a mirror image of one another, each having a catslide roof to the side.

The application is supported by a Noise Assessment report. The materials noted on the elevation plans indicate a tiled roof, cladding and face brickwork.

SITE AREA

946 sq. m.

RESIDENTIAL DEVELOPMENT 11 dwellings per hectare.
DENSITY

TOPOGRAPHY

Predominantly flat.

TREES

A number of large trees have been removed from the site. There is a large Oak tree within the rear portion of the site which is protected by a Tree Preservation Order (TPO). There are also mature boundaries to the west and north boundaries defined by hedging approx. 2m to 6m wide and 3-6m high. The majority of these boundaries are indicated on the submitted plans for retention.

BOUNDARY TREATMENT

High mature hedging to north and west.

SITE CHARACTERISTICS

The site is in part, the garden of 1 Orchard Way. The A27 westbound carriageway is 12m to the north. To the west is overgrown scrubland and a walkway with a pedestrian underpass. The host dwelling is a one-and-a-half storey detached dwelling. The dwelling comprises brick walls and a tiled roof, with gable ends. It has a projecting pitched roof element to the front elevation and rear dormer.

CHARACTER OF LOCALITY

Cul-de-sac development located south of main A27. Area characterised by residential development with mainly detached properties of varying design, scale and appearance both single and 2 storeys in height.

RELEVANT SITE HISTORY

WA/58/18/PL	Erection of 2 No. detached dwellings, adaptation to existing crossover & new driveway,	Withdrawn 07-02-19
WA/67/71	Proposed Addition And Demolition Of Existing Garage Alterations	Approve 30-12-71

This application follows an earlier application WA/58/18/PL which was withdrawn. The previous application was objected to by the Tree Officer who concluded that the development would have a significant negative impact on the ongoing health and vitality of the Oak tree.

This application has been submitted with an updated Tree Report, including the Tree Officer's suggested Root Protection Area and the dwellings have been repositioned 3.6m closer to the Orchard Way road frontage as a result. All other aspects of the application including dwelling size and design are as previously submitted.

The other main differences between the previously withdrawn scheme and the current proposal are as follows:-

- The existing tree is 11m deep to the south, and it is to be crown reduced to its south side to the 8m line, as indicated on the site plan.
- The two new dwellings have been moved away from the protected tree as shown in orange on the proposal plan drawing no. nb:17101+09h.
- The car parking arrangement to the eastern unit has been altered to side-by-side parking.
- The adapted dropped kerb has been extended from 8.9m as previously submitted to 10m wide.
- The gates to the access driveways have been altered from a single gate to double to facilitate better access.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Walberton Parish Council

Objection - This application conflicts with the Neighbourhood Development Plan.

4 Objections:

- This mature oak tree must not be lopped, it is a fine specimen and adds to the street scene.
- Pleaded a Tree Preservation Order has been made, but concern regarding the adverse effect the dwellings would have on its roots and canopy.
- Two houses is excessive for this plot.
- 2.2m between dwellings is not adequate.
- Out of keeping with the area.
- Wildlife should be re-assessed now that the tree is being retained.
- Widened access will add to hazards of highway users.
- Disappointed that the scheme has not been reduced to one unit.

- The proposal is not sympathetic to the long term retention of the tree.
- Noise assessment has not been updated.

COMMENTS ON REPRESENTATIONS RECEIVED:

The ecology report does not acknowledge retention of the existing tree, but this would only improve wildlife opportunities. County highways have no objection to the proposal in terms of highway safety. All other issues raised will be covered in greater detail in the Conclusions section of this report.

CONSULTATIONS

Engineering Services Manager
Engineers (Drainage)
Southern Water Planning
Environmental Health
Arboriculturist
WSCC Strategic Planning
South Downs National Park

CONSULTATION RESPONSES RECEIVED:

Tree Officer - No Objection.

The revised position of building footprints better respects oak tree (T2) and extensive ground protection is to be utilised. The promotion of screw-pile foundations (where main building footprint resides within a RPA) is supported. Recommend that specific construction method be required as part of any decision. While this scheme requires an ambitious set of tree protection measures/construction methods, it is nonetheless achievable without undue detriment to the oak tree (T2), providing there is adequate oversight and retained arboricultural input.
Conditions requested.

Southern Water - No Objection. Informative requested.

South Downs National Park - No Objection. Conditions to ensure long term retention of trees on the site would be supported.

Drainage Engineer - The application is within the Lidsey catchment, therefore surface water drainage design should be carefully considered. Infiltration must be fully investigated. Pre-commencement conditions requested.

County Highways - No Objection. Conditions requested.

Environmental Health - Awaited, but no objection was raised to the previous withdrawn scheme and the Noise Assessment is the same as submitted with the earlier application.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Within the Built Up Area Boundary.
Tree Preservation Order.

DEVELOPMENT PLAN POLICES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development
QEDM1	QE DM1 Noise Pollution
QESP1	QE SP1 Quality of the Environment
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
ECCSP2	ECC SP2 Energy and climate change mitigation
LANDM1	LAN DM1 Protection of landscape character

<u>Walberton Neighbourhood Plan Policy 2017 GA3</u>	Car Parking
Walberton Neighbourhood Plan Policy 2017 VE8	'Unlit village' status
Walberton Neighbourhood Plan Policy 2017 HP1	Spatial Plan of the Parish
Walberton Neighbourhood Plan Policy 2017 HP11	Housing Density
Walberton Neighbourhood Plan Policy 2017 HP13	Design Guidance

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

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

The relevant policies in the Walberton Neighbourhood Plan (WNP) have been taken into account in the determination of this application. As the Council can now demonstrate a housing land supply greater than 3 years the WNP policies relating to the supply of housing are not out of date.

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 conflict with relevant Development Plan policies in that approximately half the site lies outside the built-up area boundary as it applies to the Arun Local Plan. However, within the Walberton Neighbourhood Plan, the site is within the built up area boundary.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The application site is located within the Parish of Walberton and as such the development plan in the determination of this application will consist of the Arun Local Plan (ALP) 2011 - 2031 and the Walberton Neighbourhood Plan (WNP).

Arun Local Plan (ALP):

The key policy considerations in the determination of this application are considered to be SD SP1, SD SP2 and C SP1 of the ALP.

Map 2 of the Arun Local Plan illustrates the extent of the Walberton village built up area boundary (BUAB). It shows that part of the application site (eastern portion) lies within the built up area boundary and the other portion, approximately 10m in width, is outside the boundary.

Walberton Neighbourhood Plan (WNP):

The WNP was made in November 2016 and as such forms part of the development plan in the determination of this application.

Policy HP1 of the WNP seeks to focus development within the BUAB. The WNP shows the site as being within the BUAB.

Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), the National Planning Policy Framework (2018) para. 12 states that permission should not usually be granted. Local Planning Authorities may only take decisions that depart from an up-to-date development plan when there are other material considerations which indicate that the plan should not be followed.

The NPPF generally seeks to promoting effective use of all land (para 117) and gives weight to proposals that develop under-utilised land (para 118(d)). Whilst some of the site is outside of the defined BUAB, the site is in a sustainable location.

Conclusion on Matters of Principle:

The principle of residential development on just over half of the site would accord with the development in that it is within the defined built up area boundary. Development of the remainder of the site would be contrary to the development plan Arun Local Plan policy C SP1.

For the proposal to be considered contrary to Policy C SP1, there needs to be a demonstrable harm to the aims of this policy. The aims of this policy are to preserve the character and beauty of the countryside and to manage the urban/rural fringe. In this case the proposal is on the fringe of an urban settlement and the part of rural designation that it falls on is not unacceptably affected for the reasons set out below. The proposal is therefore not contrary to the stated aims of policy C SP1.

CHARACTER & DESIGN

Arun Local Plan policy D DM1 lists a series of 15 criteria that development must comply with - these include character where the policy suggests that proposals should 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.

Arun Local Plan Policy D SP1 - Design requires all development proposals to make efficient use of land and reflect the characteristics of the site and local area in their layout, design, landscaping, density, mix, scale, massing, character, materials, finish and architectural details.

Policy HP11 of the Walberton Neighbourhood Plan seeks to ensure that the density of proposed development is in keeping with its location so as to maintain the local character and appearance of the locality.

Policy HP13 of the WNP builds on policy HP11 by requiring that development 'must contribute to local character by creating a sense of place appropriate to its location.'

It is also necessary to consider the guidance within the National Planning Policy Framework.

Section 12 paragraph 127 states that developments should be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). Paragraph 130 seeks to prevent poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The proposal would accord with the prevailing character of the immediate locality and would not appear cramped or an overdevelopment. The plot widths and depths are comparable with other properties in Orchard Way and the proposed detached 2 storey dwellings would reflect the development on the adjoining site to the east. Orchard Way is characterised by detached dwellings of varying design and these properties would be in keeping with the pattern and nature of the adjacent development. The dwellings would have a similar set back from the site frontage and a similar footprint and spacing to site boundaries. Much of the hedging is to be retained which would safeguard the existing character and rural appearance of the locality.

The submitted street scene illustrates that the proposed dwellings would be 0.5m higher than the dwellings to the east which is not a significant difference. The dwellings have steep 2 storey pitched roofs with narrow widths and relatively low eaves levels and incorporate the gable feature of the adjacent dwelling and a pitched roof porch. The design is relatively simple and the dwellings have a 2 storey appearance with no windows at second floor in the front or rear elevation which accords with the design

of other 2 storey dwellings in the locality.

It is therefore considered that the proposal would be in accordance with policy D DM1 (1) and D SP1 of the ALP, policy HP11 & HP13 of the WNP and paragraphs 127 (c) and 130 of the National Planning Policy Framework.

RESIDENTIAL AMENITY

Arun Local Plan Policy D DM1 (3) indicates that development will be permitted if it takes into account impact on adjoining occupiers, land, use or property. None of the WNP policies specifically refer to residential amenity issues.

The NPPF in paragraph 180 seeks development that is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

Furthermore when considering applications for housing paragraph 123 c) suggests a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site.

The proposed dwelling to the east does not project significantly to the rear of the existing neighbouring dwelling. The landing window at first floor in the side elevation is the only first floor window in the proposed dwellings and is indicated on the plans to be obscure glazed. Condition 4 makes this fixed shut below 1.7m. The other windows in the roof are roof lights and would not facilitate direct overlooking of neighbouring properties given their height. It is proposed to restrict the addition of further windows in the side elevations of the eastern dwelling adjacent to 1 Orchard Way in the interests of residential amenity. Furthermore, the layout and position of the dwellings would not give rise to any loss of light, overshadowing or general amenity. The existing dwelling to the east has one window in the side elevation at ground floor which would lose some light entering, but this is not the only window serving the room.

The gross floor area of the proposed properties is 132 sq m. This exceeds the nationally prescribed space standards for a 4 bed-8 person dwelling. Therefore there is no policy conflict with the policy for internal space standards.

In terms of external space standards, specific guidance is proposed in the form of a Design Guide to be published. In the interim, each case has to be considered on its own merits. The proposed site is currently the side garden of No.1. It is considered that the amount of space and the depth of garden available for both the new dwellings and the existing dwelling would be acceptable and compatible with the character of the locality. The rear garden areas, when compared with the withdrawn scheme, have increased. Plot 1 now has an area of 185sqm compared to 176sqm and plot 2 has altered from 251sqm to 308sqm. It is considered appropriate to remove Permitted Development rights to add extensions to the westerly plot since there is limited amenity space available to accommodate these whilst retaining adequate rear amenity space and the Root Protection Area of the protected tree.

HIGHWAYS AND ACCESS

Each of the proposed dwellings has off street parking available for 2 cars and the proposal includes a new vehicle crossover. Policy T SP1 of the ALP addresses transport issues including safe highway access.

Regard should be had to paragraph 109 of the National Planning Policy Framework (NPPF) which

requires that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or impacts on the road network would be severe.

The application has been assessed by WSCC Highways and they are satisfied with the proposal in this location and raise no objection.

Provision for cycle parking is included in the proposal.

It is not considered that there is any conflict with the adopted development plan policies or with the NPPF.

ECOLOGY IMPLICATIONS

The agent has submitted a Preliminary Ecological Appraisal. The site has been assessed as unsuitable for reptiles, roosting bats, and great crested newts and therefore no further surveys are recommended. The recommendations made to enhance the biodiversity of the site where appropriate have been included as a condition in accordance with policy ENV DM5.

IMPACT ON TREES

The Oak tree on the site has been protected following concern by the Council's tree officer that the site was not properly surveyed for trees initially at the time the original application WA/58/18/PL was submitted. An Arboricultural Impact Assessment and Method Statement has been provided with this proposal and the dwellings have been repositioned 3.6m closer to the Orchard Way site frontage. The Tree Officer is now satisfied that the health of the tree would not be compromised by the development. Long term maintenance would be controlled given that the tree is the subject of a Tree Preservation Order. The proposal therefore accords with policy ENV DM4 of Arun Local Plan.

Some of the mature hedging to the front of the site will be removed to create the access to the site. However, it is not considered that this will be substantial and large sections of the existing boundary planting will be retained.

LIGHT POLLUTION

WNP Policy VE 8 - Unlit Village Status requires that new lighting conforms to the highest standard of light pollution restrictions in force at the time. Security and other outside lighting on private and public premises will be restricted or regulated to be neighbourly.

There are a number of residential properties that immediately adjoin the application site. As a result the immediate area will be less dark and more illuminated to the point that this proposal will not conflict with Policy VE8.

SOUTH DOWNS NATIONAL PARK

Given the screening and limited number of units proposed and land coverage the proposal is not expected to impact negatively on the area of South Downs National Park that abuts the site to the north thereby complying with policy LAND DM1 of the Arun Local Plan.

DRAINAGE

The Council's Engineers confirm that with suitably worded conditions the proposal will not give rise to any unacceptable drainage/sewerage conditions.

NOISE CONSIDERATIONS

The site is adjacent to the A27 where noise traffic levels are high. The applicant has submitted a Noise Assessment with the application which was previously reviewed and found acceptable by Environmental Health. The report concludes that the noise modelling software predictions suggests that internal noise levels for both living and sleeping accommodation are capable of being met for both daytime and night time periods, albeit with windows closed. With windows open, internal noise levels, are likely to exceed the requirements of BS8233:2014.

Whilst external amenity areas are seen to be above those recommended noise levels it is considered that given that all other properties garden areas are exposed to traffic noise in this location it would be unreasonable to refuse permission on these grounds.

A condition is suggested to secure implementation of the mitigation measures listed above and on this basis the proposal would accord with policy QE DM1 of the Arun Local Plan.

SUMMARY

Given the existence of adjoining residential property on 2 sides of the application site and the boundary with the A27, the proposal will not detrimentally and unacceptably alter the character and appearance of the area in conflict with policies D DM1 & D SP1 of the ALP and policies HP11 & HP13 of the WNP.

For the purposes of the Development Plan this site is partly outside the defined built-up area boundary of Walberton as defined by policy C SP1 of the Arun Local Plan. Policy C SP1 seeks to protect the countryside for its intrinsic character and beauty. In the case, as explained above, the intrinsic character and beauty of this site is not unacceptably harmed and the proposal is therefore not in conflict with policy C SP1.

The proposed development is recommended for permission subject to the following conditions.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the

following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

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:

Site Plan nb17101+001

Survey Drawing nb17101+09h

Street Elevation, Site Section, Proposed Floors & Elevations nb17101+10f

Block Plan and Location nb17101+100

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

- 3 The landing window on the east elevation of the easterly plot shall at all times be glazed with obscured glass and fixed to be permanently non-opening below 1.7m internal floor level.

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

- 4 No windows (other than those shown on the plans hereby approved) shall be constructed at first floor level or above in the east or west elevation of the easterly dwelling hereby permitted which adjoins the existing dwelling, 1 Orchard Way, without the prior permission of the Local Planning Authority.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy D DM1 of the Arun Local Plan.

- 5 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no rear extensions to the westerly dwelling house shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To maintain adequate amenity space and safeguard the protected tree in accordance with policy DDM1 of the Arun Local Plan.

- 6 No part of the development shall be first occupied until the car parking and cycle parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: In the interests of road safety in accordance with policy T SP1 of the Arun Local Plan.

- 7 The development shall proceed in accordance with the submitted Preliminary Ecological Appraisal dated 08-11-2018 including permanent adherence to the 'Mitigation Measures'

detailed within point 6 of the report summary and section 4.8 of the report.

Reason: To safeguard the amenities of the occupiers of the properties and neighbouring residents in accordance with Arun Local Plan policies D DM1 and ENV DM5.

- 8 Prior to occupation of the buildings bird boxes shall be installed at the site in accordance with details indicating the design and position of bird boxes to be submitted to and approved by the Local Planning Authority and the approved boxes shall thereafter maintained to the satisfaction of the Local Planning Authority.

Reason: To safeguard the ecology of the area, and in the interests of birds to ensure that a habitat remains for them during and after development in accordance with policy ENVDM5 of the Arun Local Plan.

- 9 No development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:
- a. An indicative programme for carrying out of the works.
 - b. The arrangements for public consultation and liaison during the construction works.
 - c. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work.
 - d. The parking of vehicles of site operatives and visitors.
 - e. Loading and unloading of plant and materials.
 - f. Storage of plant and materials used in constructing the development.

Reason: To protect the amenity of the local residents and to ensure the safety of highway users in accordance with policies DDM1 and TSP1 of the Arun Local Plan. This will be required to be a pre-commencement condition because these details have to be agreed and in place before any work commences in the interest of highway safety and amenities of adjoining residents.

- 10 The 'Mitigation Measures' as detailed within the submitted acoustic report entitled 'Acoustic Associates Sussex Ltd. Planning Application Noise Assessment - Site: Land Adjacent to 1 Orchard Way, Fontwell, BN18 0SH - Dated: 27/07/2018 - Project: J2505 - Issue 1' must be adhered to at all times. In particular, Section 8.1 - Glazing and Section 8.2 - Ventilation must be incorporated into the build and the materials used must match or better those standards quoted within the body of the report.

Any deviation from the proposed planning application or any submitted alterations will need to be submitted to the Local Planning Authority for approval. In these circumstances, a further detailed noise assessment may be required to reassess the proposed alterations and the impact(s) these alterations may have upon the development. The details so incorporated shall be retained thereafter.

Reason: To safeguard the amenities of the occupiers of the properties and neighbouring residents in accordance with Arun Local Plan policies D DM1 and QE DM1.

- 11 In the event that contamination is found at any time during the carrying out of the approved development, it must be reported in writing immediately to the Local Planning Authority. All works must stop immediately and an investigation and risk assessment must be undertaken in accordance with the requirements of the local authority contaminated land officer. Where remediation is necessary, a remediation scheme must be prepared in accordance with the local authority contaminated land officer guidance and which is subject to the approval in writing of the Local Planning Authority.

Reason: In the interests of the residential amenities of adjoining properties in accordance with Arun Local Plan policies QE SP1 and QE DM4. This may be required to be a pre-commencement condition because these details have to be agreed and in place before any work commences in the interest of human health.

- 12 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 building/extension.

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 DDM1 of the Arun Local Plan.

- 13 All activity at the site is to be carried out in strict accordance with: - Arboricultural Impact Assessment (Arbortrack Systems Ltd, ref: jwmb/ rpt1/ 1orchardway/ AIAAMS, 15th December 2018 amended 4th March 2019).

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

- 14 Before the site is occupied or any machinery is introduced to the site or demolition work or construction work or alterations to existing ground levels takes place a PRE-COMMENCEMENT Site Meeting is to take place between the Arun DC Tree Officer and the Arboricultural Expert or Site Agent representing the site owners - at this meeting all protective fencing will be inspected along with ground protection measures - they will be assessed to verify that they are 'Fit for Purpose' as required under British Standard 5837:2012 and have been erected and positioned exactly as shown on the Tree Protection Plan (Appendix A, Rev C, March 2019).

Reason: To comply with BS5837 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised and they can continue to enhance the landscape and amenity of the area in accordance with policy ENV DM4 of Arun Local Plan. This will be required to be a pre-commencement condition because these details have to be agreed and in place before any work commences in the interest of a protected tree.

- 15 If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones then prior to any works for their installation a Method Statement, prepared by an Arboricultural Expert, must be submitted to and agreed with the Local Planning Authority that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced on site.

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

- 16 No part of the development shall be first occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will achieve energy efficiency measures that reflect the current standards applicable at the

time of submission and includes the use of renewable energy supply systems. The approved scheme shall thereafter be implemented prior to occupation of the residential units and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: To ensure that the development is energy efficient and in accordance with policy ECC SP2 of the Arun Local Plan.

- 17 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

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

- 18 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.
- 19 INFORMATIVE: The applicant is advised to contact the Department for Transport in order to commence the "Stopping Up" process under Section 247 of the Town and Country Planning Act.
- 20 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>
- 21 INFORMATIVE: The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received.
For further information please contact the Environmental Health Department on 01903 737500
- 22 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.
- 23 INFORMATIVE: The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a

vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>

Online applications can be made at the following link, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/> .

- 24 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act. 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).
- 25 INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, 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 40% 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 regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.