

Recommendation Report for Approval of Reserved Matters Following Outline Approval

REF NO: Y/146/20/RES

LOCATION: Land at Street Buildings
North End Road
Yapton
BN18 0DT

PROPOSAL: Application for approval of reserved matters for the erection of 45 dwellings pursuant to Section 73 permission Y/13/18/PL (following the grant of outline planning permission Y/49/17/OUT) (resubmission following Y/39/20/RES). This application may affect the setting of a Listed Building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks reserved matters approval for 45 dwellings with associated parking, road/footway provision, landscaping and ancillary works. Approval of scale, layout, external appearance and landscaping are sought. Access was approved on Y/49/17/OUT as varied by Y/13/18/PL. The scheme includes 6 x 1 bed maisonettes, 11 x 2 bed houses, 24 x 3 bed houses and 4 x 4 bed houses. Fourteen of the dwellings will be affordable, either rented (10) or shared ownership (4). These are all grouped along the north eastern edge and includes the 6 x 1 bed maisonettes. The Oxford Lifestyle, Tavy and Leadon units (21 dwellings) will be built to be compliant with M4(2) of Building Regulations as per the requirements of condition 17 of the Outline (as amended) therefore being accessible and adaptable to future requirements. Each house has at least 2 parking spaces and 26 have a detached or integral garage. Some larger houses have extra spaces or double garages. There will be 9 visitor spaces. Cycle parking is not indicated so will need to be agreed by condition. Detached garages are shown on the layout but elevations have not been provided therefore this will also need to be secured by a condition. Buildings will be no higher than two storeys with no roof accommodation shown. Materials are described on the Materials Plan (014 Rev I) and include brick (4 types), render, timber boarding, hanging tile and roof tiles (3 types). It is proposed to have 1.8m high brick walls in the layout where gardens adjoin public spaces. Boundaries between gardens (and to garden rears) have 1.8m high timber fencing. In
----------------------------	--

addition, 1.8m high brick walls are to be provided where garden boundaries are onto roads & paths. The flint walling along the North End Road frontage is to be retained.

Bin storage spaces will be in gardens and two communal bin stores (timber fenced enclosures) are shown for plots 10-19 & 26-29. There are no details of the former but condition 16 of the Outline (as amended) requires a separate approval of these details.

As per the Outline permission (as amended), the site has a vehicular access onto Maypole Lane in the northern corner. There is a pedestrian only access from North End Road and there is provision for a pedestrian/cycle access from an adjoining site with outline permission (Clays Farm) to the southwest. A condition will be imposed to safeguard the latter until such time as Clays farm is developed to ensure that both sites provide an unobstructed link between them.

The layout includes two areas of public open space (POS). Firstly, a small (approx. 296m²) square area between the road access into the site and the front of plot 1. Secondly, a larger area between North End Road and plots 23-31 and which includes a Local Area for Play (LAP). The total POS provision is 0.31 hectares. An underground foul water pumping station will be located in the POS but occupies only a very small area being as it is underground.

The application includes a comprehensive hard & soft landscaping scheme which includes new trees, new shrubs, hedges, wildflower planting and grassed areas. The drawings also shows the use of new tarmac, block paving (3 different types) and slabs to front/rear dwelling entrances.

This application proposes certain relatively minor changes to the scheme already approved by Y/39/20/RES and these are set out in the conclusions section.

SITE AREA	1.87 hectares including existing access on to Maypole Lane.
RESIDENTIAL DEVELOPMENT DENSITY	32 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	All boundary hedges & trees are to be retained/enhanced except where recommended for removal as set out in the Arboricultural Report which accompanied planning application Y/49/17/OUT.
BOUNDARY TREATMENT	The site has hedgerows along the boundaries. Within these are low post & wire or post & rail fences.
SITE CHARACTERISTICS	Horse paddock formerly used as agricultural land before the equestrian use. There is a stables complex fronting North End Road and a few small sheds elsewhere on the site.

CHARACTER OF LOCALITY

Rural in character and located north of Yapton Village. The site is bounded to the north by an open field and beyond by Maypole Lane, residential properties at 'Longacre', 'The Paddocks' and the Maypole Inn. The site is bounded to the south by land used for the stabling and grazing of horses and on which outline permission has been granted for 33 dwellings (Y/83/19/OUT). To the west, there is open farmland. To the east the site is bounded by housing including Baytree Cottage, Park Cottages, Yapton Lodge (locally listed) and The Old Cottage (Grade II Listed) and by North End Road.

RELEVANT SITE HISTORY

Y/80/20/A	Construction of 1 No. mounted stack sign advertisement board to West of North End Road.	ApproveConditionally 06-10-20
Y/39/20/RES	Approval of reserved matters following outline consent Y/49/17/OUT & Section 73 permission Y/13/18/PL for 45 No. dwellings & associated works. This application may affect the setting of a Listed Building.	ApproveConditionally 07-09-20
Y/13/18/PL	Variation of condition 3-approved plans & removal of conditions 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 & 27 following the grant of Y/49/17/OUT.	ApproveConditionally 29-06-18
Y/49/17/OUT	Outline application with some matters reserved for the demolition of all existing structures & redevelopment of the site with up to 45 dwellings (30% affordable (up to 14)) & 0.3 hectares of landscaped open space with vehicular access from Maypole Lane & pedestrian/cycle access only from North End Road. This application is a Departure from the Development Plan & may affect the setting of a listed building.	App Cond with S106 15-02-18

Outline consent was granted under Y/49/17/OUT with details of the access. Y/13/18/PL sought to vary condition 3 and delete many of the other conditions. It was agreed condition 3 be varied to include a reference to all of the plans that were submitted with the outline planning application. Changes were also agreed to conditions 13 & 25 and it was agreed that condition 16 be removed. However, all other conditions were retained in full contrary to the terms of the application.

Reserved Matters was granted under Y/39/20/RES in September 2020.

This new application has been submitted as a result of changes to the layout and house types. These changes could not be achieved through a Non-Material Amendment and are described in the Conclusions section.

REPRESENTATIONS

No objection from the Parish Council.

1 letter of support stating that the houses are traditional, well built and will look great.

12 letters of objection raising the following concerns:

- (1) Yapton has enough houses already;
- (2) Access is unsuitable;
- (3) Will increase traffic to detriment of existing residents;
- (4) Insufficient local pavement for pedestrians on North End Road;
- (5) This application increases numbers;
- (6) Insufficient local infrastructure;
- (7) Loss of open land;
- (8) Unclear as to boundary between site and Park Cottages;
- (9) Impacts of construction on local residents;
- (10) Loss of Agricultural Land;
- (11) Drainage problems;
- (12) Loss of wildlife;
- (13) Loss/damage to a Listed Building;
- (14) Need cycleway provision through the site; and
- (15) No provision for cycle storage on the site.

COMMENTS ON REPRESENTATIONS RECEIVED:

The Parish Council and supporter comments are noted. The following comments are made in respect of the objections:

- (1) The principle of 45 dwellings on this site has already been established by Y/49/17/OUT as varied by Y/13/18/PL;
- (2), (3) & (4) The details of access & the principle of an increase in traffic has already been established by Y/49/17/OUT as varied by Y/13/18/PL;
- (5) There is no increase in numbers compared to the previous permissions;
- (6) The outline permission (as amended) was subject to a Section 106 Legal Agreement which requires financial contributions to improve existing local schools, libraries and fire safety. The development will also contribute to improvements to the A27/Yapton Lane junction;
- (7) The loss of this open (albeit private) land has already been established by the outline permission;
- (8) There are no proposed changes to this boundary;
- (9) The impacts of construction will be temporary and will be controlled through the Construction Management Plan approved by ref Y/104/20/DOC;
- (10) The principle of the loss of the agricultural land has already been established by the outline permission;
- (11) The drainage of the site is to be subject to separate approval through the discharge of the conditions imposed on the outline;
- (12) The principle of the loss of wildlife has already been established by the outline permission;
- (13) There is no physical loss or damage to any heritage assets;
- (14) The layout includes two footpath links to adjoining land. Specific cycleway provision is not

considered to be necessary; and
(15) This will be secured by way of the discharge of a condition.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

No responses from the Environment Agency, the NHS, WSCC Surface Water Drainage, ADC Tree Officer (none either at outline stage), ADC Strategic Projects or ADC Economic Regeneration.

HIGHWAYS ENGLAND - No objection.

SPORT ENGLAND - No objection.

SOUTHERN WATER - No objection subject to an informative.

WEST SUSSEX POLICE - No objection but lists a number of advisory notes regarding improving security.

WSCC HIGHWAYS - State no concerns with these revisions but that their previous request (in relation to Y/39/20/RES) for more information on parking to demonstrate against WSCC's Parking Standards has not been resolved. Previously stated that they were satisfied with the swept path diagrams for a refuse collection vehicle, fire tender and a private car.

WSCC FIRE & RESCUE - Request conditions to secure a fire hydrant.

ADC DRAINAGE ENGINEERS - State no objection to the revised layout but request that the applicant and their engineers re-engage with the Council regarding the surface water drainage strategy for the site. As highlighted on application ref Y/54/20/DOC and Y/39/20/RES there are challenges regarding an infiltration solution due to poor infiltration rates. Engineers are also awaiting the full winter groundwater monitoring data.

ADC CONSERVATION OFFICER - The impact can be described as causing less than substantial harm in accordance with para 196 of the NPPF (2018) and the level of harm is considered to be on the lower end of the scale. It is necessary to consider the public benefits that the development may achieve as part of the application assessment, along with the contents of sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended). Comment that:

- There is a small section of flint walling which fronts on to North-End Road;
- The retention of the wall is a positive feature of the proposal and any works to extend it should be carefully implemented in order to ensure that it closely reflects the existing element;
- The eastern boundary is bordered by housing including Yapton Lodge (locally listed therefore a non-designated heritage asset) and The Old Cottage. The latter is a Grade II listed two storey detached house dating to C18. It is stuccoed and has a tiled roof along with casement windows in moulded architrave surrounds. It has a modern gabled porch and is of aesthetic significance;
- The site itself contains a flint and brick barn, which would be demolished and this is unfortunate as it forms part of the character of the area;
- The design of the houses appear to be based on the designs of properties constructed in the early to mid C20, which are somewhat suitable for the character of the wider village, which grew substantially during the C.20; and
- However, it is not clear why a terrace of houses (plots 26-29) have been located at the end of the

curtilage of the listed building, when there is the opportunity to ensure that there is an attractive landscape buffer between the heritage assets and the new development. The location of this terrace is potentially harmful, but it could be reduced through greater landscape buffering.

ADC ENVIRONMENTAL HEALTH - No comments.

ADC HOUSING STRATEGY & ENABLING MANAGER - Request that the affordable housing mix be altered to propose 11 Affordable Rented & 3 Shared Ownership. No objections to the layout.

ADC LANDSCAPE OFFICER - No objection to location of play area, landscaping, public open space areas, buffer planting to the site boundary and management regime.

COUNCIL ARCHAEOLOGIST - No comment. Archaeology covered by a condition on the outline.

COUNCIL ECOLOGIST - No objection on grounds of the Extended Phase 1 Habitat Survey submitted with the Outline permission and Condition 14 imposed on that permission. No further information is required.

COMMENTS ON CONSULTATION RESPONSES:

WSCC HIGHWAYS - The applicant has demonstrated that the parking provision is in accordance with the Arun Parking Standards SPD therefore there is no need to supply evidence to demonstrate against WSCC's standards.

WSCC FIRE & RESCUE - A fire hydrant condition was imposed on the outline planning permission.

ADC DRAINAGE ENGINEERS - Whilst the comments are not an objection, it is clear engineers have limited confidence as to how the site can be drained. A similar approach can be taken here to how the previous permission Y/39/20/RES was determined in that it was made clear that if the drainage condition cannot be agreed due to the layout not providing sufficient space then a new Reserved Matters application will need to be submitted to account for the necessary drainage features. On this basis, the reserved matters application can be determined without the full support of drainage engineers.

ADC CONSERVATION OFFICER - A condition is imposed regarding the flint wall.

ADC HOUSING STRATEGY & ENABLING MANAGER - It is noted that there was no objection raised to Y/39/20/RES which proposed the same affordable housing mix as now proposed.

POLICY CONTEXT

Designations applicable to site:

Within the Built Up Area Boundary;
Flood Zone 1 (low risk);
Lidsey Treatment Catchment Area;
Adjacent to a Grade II Listed Building;
Adjacent to a locally listed building;
Special Control of Adverts; and
CIL Zone 2.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
ENVSP1	ENV SP1 Natural Environment
HDM1	H DM1 Housing mix
LANDM1	LAN DM1 Protection of landscape character
HERDM1	HER DM1 Listed Buildings
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HERSP1	HER SP1 The Historic Environment
HWBSP1	HWB SP1 Health and Wellbeing
OSRDM1	Protection of open space,outdoor sport,comm& rec facilities
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QEDM3	QE DM3 Air Pollution
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TELDM1	TEL DM1 Telecommunications
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management
WSP1	W SP1 Water

[Yapton neighbourhood plan 2014 Policy E4](#)

	Minimising the environmental impact of development
Yapton neighbourhood plan 2014 Policy E5	Enhancement of biodiversity
Yapton neighbourhood plan 2014 Policy E6	Green infrastructure and development
Yapton neighbourhood plan 2014 Policy E11	Minimising the impact of flooding from development
Yapton neighbourhood plan 2014 Policy BE2	High speed broadband
Yapton neighbourhood plan 2014 Policy PK1	Parking standards for new residential development
Yapton neighbourhood plan 2014 Policy H2	Dwelling size
Yapton neighbourhood plan 2014 Policy H3	Dwellings appropriate for the needs of older people

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
------	------------------------------------

NPPG National Planning Practice Guidance

NPPDG National Design Guide

SUPPLEMENTARY POLICY GUIDANCE:

SPD3 Parking Standards

SPD12 Open Space, Playing Pitches & Indoor & Built Sports Facilities

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.

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.

The relevant policies of the Yapton Neighbourhood Development Plan (YNDP) have been considered within this report. Yapton are currently working on a revised YNDP and have submitted a Regulation 14 Plan which is being consulted on between 22/01/21 and 19/03/21. It is considered that the emerging Plan can be attributed low weight at this time.

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 result in a development of an appropriate scale, layout and appearance which is not harmful to the character & appearance of the area, the amenities of existing residents, the nearby heritage assets or the existing road and public footpath network.

Section 66(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states: "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

The proposal is considered to comply with this by setting new development well away from the heritage assets with new landscaping an open space acting as a buffer in between.

Section 70(2) of Town and Country Planning Act 1990 (as amended) provides that

(2) In dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post-examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

KEY ISSUES:

Proposed Scheme Changes:

Principle;
Compliance with Outline Conditions;
Heritage;
Layout, Appearance & Scale;
Public Open Space and Play;
Landscaping & Trees;
Housing Mix;
Accommodation for Older People;
Residential Amenity
Parking, Roads and Public Footpaths
Waste Management;
Surface Water Drainage
Foul Drainage;
Biodiversity;
Internal & External Space Standards; and
Climate Change.

PROPOSED SCHEME CHANGES:

This application proposes certain relatively minor changes to the scheme already approved by Y/39/20/RES:

- The parking to plot 29 has been moved onto the opposite side of the road with a visitor space behind. This amendment lines up the parking spaces serving plots 26-28 with the buildings and allows amendments to adjacent dwellings. These amendments also result in more evenly sized gardens across plots 24-27.
- The house types to plots 23-25 have been amended and units have moved north east allowing more space on the frontage of the corner plot (plot 23). Parking to these units has been amended to reduce the mass of hard standing to the side of dwellings.
- The visitor space to the front of plot 1 has been moved to adjacent to plot 23.
- The bin store buildings have been replaced with close board fenced enclosures in the same locations.

The door to the store serving plots 26-29 has also been moved to the western elevation to enhance access.

- The footpath to the front of plots 11/12 has been extended north to allow pedestrian access into the parking court.

- The Tavy house types have been slightly increased in size to ensure accordance with Part M of the Building Regulations.

- The maisonettes have been slightly amended to enhance the front elevation and provide more appropriate accommodation in accordance with Part M of the Building Regulations. Also new house type "Leadon" replacing "A1/A2" (but still a maisonette) - plots 13/14, 15/16, 28/29.

PRINCIPLE:

The principle of up to 45 dwellings with access from Maypole Lane was established by Y/49/17/OUT (amended by Y/13/18/PL). It is only necessary to consider outstanding details - layout, appearance, landscaping & scale and it is only appropriate to consider development plan policy/material considerations in respect of these reserved matters. Matters relating to flood risk, biodiversity, agricultural land, countryside location, foul drainage (the principle of 45 new dwellings connecting to the network), children's play and infrastructure are all outline issues.

COMPLIANCE WITH OUTLINE CONDITIONS:

Certain conditions imposed by the outline permission set parameters for the nature and form of the Reserved Matters submission and these are analysed below.

Condition (4) requires the site layout accord with the Indicative Proposed Block Plan Dwg. PPC2 and that it shall include (i) 1.4ha of residential development comprising up to 45 dwellings on Area A and (ii) 0.31ha of landscaped open space on Area B which shall include a minimum 100m² designated as a Local Area of Play (LAP). This sets parameters for the layout & amount of development/open space and the layout has been designed to accord with this. This means the play area has to be located in the proposed position.

Condition (5) sets out what is required in respect of the landscape details in the Reserved Matters submission. The submission is considered to include the required information.

Condition (15) sets out what is required in respect of the details of appearance in the Reserved Matters submission. It states that samples should be provided as required. The submission is considered to include the required information. Whilst no samples have been provided this is acceptable given the current working arrangements due to Covid-19 and given that the Councils Conservation Officer has not specified that samples are required.

Condition (17) sets out the requirement that 25% of the 1, 2 & 3 bed dwellings be delivered to Lifetime Home standards. Lifetime Home standards no longer exist and the equivalent current standard is in part M of the Building Regulations. This would mean that at least 10 of the 41 1/2/3 bed dwellings should be part M compliant. This is discussed in the conclusions.

Condition (18) states the scheme should conform to the following range of dwellings: 1-bed dwellings: 10-15% of all dwellings; 2-bed dwellings: 25-35% of all dwellings; 3-bed dwellings: 45-55% of all dwellings ; and 4+-bed dwellings: 5-10% of all dwellings. This is discussed in the conclusions.

Condition (23) states that the reserved matters submission should include details of how the scheme will link with surrounding land. This is shown on the layout plans.

HERITAGE:

The site lies behind (to the north west) of North End Road on which there is a Grade II Listed Building (a designated Heritage Asset) and also a locally listed building (a non-designated Heritage Asset)

Relevant Arun Local Plan (ALP) policies are HER SP1 (The Historic Environment) and HER DM1 (Listed Buildings). HER SP1 states that development likely to prejudice heritage assets including Non-Designated Heritage Assets and their settings will be refused. Policy HER DM1 requires that proposals protect and, where possible, enhance the setting of Listed Buildings. Yapton Neighbourhood Development Plan (YNDP) policy E9 refers to Listed Buildings and Locally Listed Buildings but only concerns the loss of such buildings and does not refer to impacts on setting.

Section 66(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states: "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

It is necessary to consider policy guidance in the NPPF which sets out several steps when considering impact on heritage assets. Para 189 requires applicants to describe the significance of heritage assets affected, including any contribution made by their setting. Para 190 requires Local Planning Authorities to identify and assess the particular significance of the heritage asset that may be affected by a proposal. The Local Planning Authority must then consider the level of harm associated with the proposal and decide whether there is any harm and if so, whether this is 'less than substantial harm' or 'substantial harm'. It is then necessary to counterbalance harm with the level of public benefits associated with the proposal (as set out in paras 193-196).

According to the Planning Practice Guidance, such benefits should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, they do not always have to be visible or accessible to the public to be genuine public benefits. Public benefits may include sustaining or enhancing the significance of a heritage asset and the contribution of its setting, reducing or removing risks to a heritage asset and securing the optimum viable use of a heritage asset in support of its long term conservation.

The applicant has not provided a Heritage Statement with the Reserved Matters application. One was submitted with Y/49/17/OUT. The officer report for that application stated that:

"The Old Cottage, on North End Road is a Grade II Listed Building, situated within its own original garden plot, where it has remained self-contained and unaltered since 1876. The north eastern corner of the application site abuts the rear garden boundary of the Listed Building, but neither the house nor its garden are visible from the application site due to intervening trees, hedges and buildings. The Heritage Statement concludes that the proposed development would not adversely affect the setting of the Listed Building and would cause no harm to its significance as a heritage asset."

The listed building is some 67m from the nearest new development (the terrace of plots 26-29). There is limited current screening and only shrubs are proposed to this boundary. However, it is material that there is no change to this impact from the scheme approved by Y/39/20/RES.

It is considered that the harm to the heritage assets would be less than substantial. As noted above,

paragraph 194 of the NPPF advises that less than substantial harm should be weighed against the public benefits of the proposal. It is therefore necessary to make an on balance judgement as to whether the wider benefits of the proposal outweigh the resultant harm to the significance of the affected designated heritage assets.

It is considered that the development would result in the following benefits:

- * The sustainable development of 45 new homes including 14 affordable homes to help meet local and district wide needs;
- * An increase in Council Tax receipts associated with the 45 new homes;
- * New Homes Bonus payments from the Government paid to the Council;
- * Financial contributions towards local libraries, education establishments and (potentially) doctors' surgeries;
- * The creation/maintenance of construction jobs;
- * Additional spending by new residents on local goods & services; and
- * A boost to the vitality & viability of the settlement of Yapton as a whole.

It is considered that on balance, these benefits as a whole outweigh the less than substantial harm to the significance of the affected designated heritage assets. Therefore, the proposal is considered to be in accordance with the relevant development plan policies and the NPPF.

The Conservation Officer has assessed the reserved matters submission (set out in full on the Councils website and summarised elsewhere in this report) and considers the proposal results in some harm but the level is less than substantial. The Conservation Officer advises that public benefits should be identified to outweigh the harm. It is considered that the previous balancing exercise still applies and that the less than substantial harm is clearly outweighed by the public benefits.

In respect of section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, whilst the setting of such designated heritage assets will be subject to some harm, it is not considered this harm is significant and can be outweighed by the strength of the public benefits. It was accepted in *Jones v Mordue* EWCA Civ 1243, 1 W.L.R. 2682 that if the approach in paragraphs 193 to 196 of the NPPF is followed, then the section 66(1) duty is likely to have been properly performed.

The proposal has some affect on the setting of the nearby heritage assets but some impact is expected given that permission has been given for the site to be developed. The proposal complies with guidance in the NPPF, ALP policies HER SP1 & HER DM1 and YNDP policy E9.

LAYOUT, APPEARANCE AND SCALE:

Policy D DM1 of the ALP requires the Council seek to make the best possible use of land by reflecting or improving upon the character of the site and the surrounding area. It requires the Council to consider scale, massing, aspect, siting, layout, density, building materials, landscaping, and design features. It is necessary that development demonstrates a high standard of architectural principles, use of building materials and hard and soft landscaping to reflect the local area.

In terms of density, D DM1 requires housing makes efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. The policy requires the scale of development keep within the general confines of the overall character of a locality. ALP policy D SP1 "Design" requires development to make an efficient use of land and also reflect local character.

ALP policy AH SP2 states that affordable housing should be visually indistinguishable from market

housing with large groupings of single tenure dwellings or property types avoided. Affordable housing units shall be permitted in small clusters throughout development schemes. There are no relevant design policies in the YNDP.

Para 127 of the NPPF states "Planning policies and decisions should ensure that developments: (c) are 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)." Para 122 states planning decisions should support development that makes efficient use of land but the desirability of maintaining an area's prevailing character and setting should be considered. Para 130 states that permission should be refused for development that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The National Design Guide (NDG) has full weight as a material consideration in the determination of this application. This states that achieving a well-designed place comes about through making the right choices at all levels, including the layout (or masterplan), the form and scale of buildings, their appearance, landscape, materials and their detailing. It sets out ten characteristics of beautiful, enduring and successful places: Context, Identity, Built Form, Movement, Nature, Public Spaces, Uses, Homes & Buildings, Resources and Lifespan. The applicant provided a written response to the National Design Guide.

The Arun Design Guide was adopted on the 25th January 2021 and is now a material consideration in determining planning applications. The Design Guide suggests a density of 15-25 for detached/semi-detached houses in village locations and states that density should decrease with distance from the centre of a settlement, to ensure that development relates sensitively to its setting and addresses the edges of the site in a positive way. It states that this is particularly important to development which is adjacent to the settlement particularly where there are open fields. The site density has been set by the Outline permission which allowed up to 45 homes.

The layout has to be in accordance with the plan provided at outline application with the majority of the POS to the part of the site fronting North End Road. This plan sets the location of the play area behind existing houses that front North End Road. Whilst a preference was stated during pre-application discussions for a feature POS in the housing layout, it is accepted that this would deviate from the requirements of condition (4) of the outline (as amended) and result in non-compliance.

The layout functions well and the POS areas are usable spaces. The location of the large area of POS on the footpath route from North End Road results in this frontage area being an attractive space and this limits harm to the nearby heritage assets and to the amenities of existing residents outside the site.

The scale of development is solely two storey with no roof development. It is not considered that future roof development would be inappropriate in the development other than for the parts of plots 23-31 that face North End Road and are in the setting of the heritage assets. A condition will be imposed to prevent future roof alterations/extensions to those particular plots.

Buildings have been designed in an arts and crafts style, utilising materials found in the area such as brick and occasional render buildings. Elevations & street scenes demonstrate the houses will appear different to each other and have differing design features, roof forms, windows, doors, materials and porches. Materials are appropriate to this location and the addition of brick walls to boundaries adjoining the public realm is welcomed.

The footpath link to the adjacent Clays Farm site whilst between two houses is considered to be appropriate as it has landscaping on either side, with brick walls to the respective gardens and the space itself is wide such that it will not be an unattractive route for pedestrians.

The affordable homes are grouped into two locations adjacent to each other which is not ideal in the interests of social inclusivity. The Councils Housing Strategy & Enabling Manager has not objected and it is recognised that affordable housing providers prefer these houses to be close together in the interests of management. This is not a large site and the layout does not offer much potential for these to be spread across the site.

The revised proposal makes various alterations to the layout and house appearance but it is not considered that these are detrimental to the overall appearance of the development. The following specific comments are made in response to the relevant changes:

- Plot 29's parking space is now on the opposite side of the road and is slightly less convenient but won't result in on-street parking in front of the plot; and
- The changes to the Tavy and Leadon (previously A1/A2 type) are positive and improve the appearance of these dwellings.

The proposal's layout, appearance and scale is considered to be in accordance with ALP policies D DM1, D SP1 & AH SP2, the NPPF, the National Design Guide and the Arun Design Guide.

PUBLIC OPEN SPACE & PLAY:

ALP policy OSR DM1 requires that housing developments provide sufficient public open space, playing pitch provision and indoor sport & leisure provision. In addition, policy HWB SP1 seeks to ensure that new development is designed to maximise the impact it can make to promoting healthy communities and reducing health inequalities. This is even more important in the current climate with nationally imposed lockdowns confining people to their homes/immediate surroundings and the increase in home working.

There is no relevant YNDP policy. However, the Councils supplementary planning document (SPD) "Open Space, Playing Pitches, Indoor and Built Sports Facilities" (January 2020) sets out specific requirements for on-site public open space (POS) and play provision.

The S.106 Agreement agreed in association with Y/49/17/OUT did not set the play or public open space (POS) requirements. However, as noted elsewhere, condition (4) requires that the site layout accord with the Indicative Proposed Block Plan Dwg. PPC2. This shows 0.31ha of landscaped open space on Area B with a minimum 100m² designated as a Local Area of Play (LAP). This condition therefore sets parameters for the amount of play and POS.

The proposed scheme (which is the same as Y/39/20/RES in this respect) proposes 0.31 hectares of POS and a LAP (200m²) within the larger area. The POS and play provision therefore complies with the condition. It is also noted that the Councils Landscape Officer raises no objections to the proposed scheme.

The proposal is therefore in accordance with ALP policies OSR DM1 and HWB SP1 albeit on the basis of the material consideration that is the requirements of condition 4 on the outline and that this approach was previously accepted on Y/39/20/RES.

LANDSCAPING & TREES:

ALP policy LAN DM1 states: "Development throughout the plan area should respect the particular characteristics and natural features of the relevant landscape character areas and seek, wherever possible, to reinforce or repair the character of those areas." In addition, policy D DM1 requires

developments to incorporate new tree planting and to improve upon character through landscaping.

ALP policy ENV DM4 states "Development will be permitted where it can be demonstrated that trees protected by a Tree Preservation Order(s), (TPO) identified as Ancient Woodland, in a Conservation Area or contributing to local amenity, will not be damaged or destroyed now and as they reach maturity".

YNDP policy E4 states that development sites should retain well-established features of the landscape, including mature trees & species-rich hedgerows and that new tree planting will be required to mitigate any significant loss.

There are no TPO or ancient trees in the site. The Tree Officer did not respond to the outline or this scheme so it has to be concluded that boundary trees do not represent a constraint to development such that permission should be refused. Existing tree & hedge belts on the north, west and south boundaries are to be retained and enhanced with further planting as set out on the landscaping plans.

The landscaping plans provide for a well thought out scheme which is fitting for the location and provides a good mix of trees & shrubs with suitable planting densities and size at time of planting. There is no objection from the Council's Landscape Officer. Hard surfacing treatments are considered to be varied and a mix of boundary treatments is proposed including brick walls to the public realm.

There is limited tree protection detail in the application and that provided with the outline application is out of date and not specific to this layout. In the absence of any comments/objections from the Tree Officer, the details are acceptable.

It is considered the scheme accords with ALP policies LAN DM1, D DM1, ENV DM4 and YNDP policy E4.

OTHER MATTERS:

(A) Housing Mix

ALP policy HDM1 provides for a mix of housing to meet local needs and requires that all housing development provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand. The policy does not prescribe a specific housing mix that must be met by individual applications, with the policy stating that each must be considered on its own merits. The policy preamble (12.2.4) acknowledges that the final mix will be negotiated on a site by site basis, having regard to the most up to date Strategic Housing Market Assessment (SHMA).

The 2012 SHMA was the subject of an update by GL Hearn in 2016 ("Updated Housing Needs Evidence", September 2016) in which paragraph 6.3 stated that the evidence highlighted a direction towards the provision of 2 and 3 bed units for market units and smaller affordable units. The 2016 update acknowledges at paragraph 6.10 that the analysis clearly shows the different profiles in the different broad tenures with affordable (rented) need being more heavily skewed towards smaller dwellings and market housing predominantly homes with three or more dwellings. Table 29 identifies a suggested broad mix of market housing by size for the District.

YNDP policy H2 says: "developments of fifteen or more dwellings must provide a mix of dwelling sizes (market and affordable) that fall within the following ranges:

- 1-bed dwellings: 10-15% of all dwellings;
- 2-bed dwellings: 25-35% of all dwellings;
- 3-bed dwellings: 45-55% of all dwellings; and

- 4+ bed dwellings: 5-10% of all dwellings.

The proposed development comprises the following housing mix:

- 6 x 1 bed dwellings (13.3%);
- 11 x 2-bed dwellings (24.4%);
- 24 x 3-bed dwellings (58.5%);
- 4 x 4-bed dwellings (8.9%).

The number of 1 & 4 bed dwellings are all in the range set out by YNDP policy H2. There is some deviation from the policy in respect of the 2 & 3 bed homes however these are not considered to be significant. The affordable homes are within the 1-3 bed range and therefore accord with the SHMA in respect of predominantly being smaller dwellings.

(B) Housing for Older People

Condition 17 of the Outline Permission set out a requirement that 25% of the 1, 2 & 3 bed dwellings be delivered to Lifetime Home standards. Lifetime Home standards no longer exist and the equivalent current standard is contained in part M4(2) of the Building Regulations.

The Local Planning Authority has an agreed internal policy on the provision of housing accommodation to provide for an ageing generation ("Accommodation for Older People and People with Disabilities", 2020). This is neither adopted policy nor a supplementary planning document but is considered to have some weight as a material planning consideration.

This states that schemes of between 11 and 50 dwellings should provide at least 30% of the units to the M4(2) standard plus 2 units to be designed to M4(3) allowing for accessibility by wheelchairs. The provision of these units should both be in the open market and affordable sectors. For this proposal, this would equate to 14 M4(2) homes and 2 M4(3) homes.

The application shows the provision of 21 M4(2) homes mixed between the affordable and market tenures. No M4(3) homes are shown however 3 of the 1 bed dwellings are to be ground floor maisonettes which lend themselves to wheelchair accessibility. The provision is also clearly in accordance with the YNDP policy as set out in condition 23. There is conflict with the ADC guidance however it is not adopted policy and it is material that the condition that was imposed was set well before this guidance was published. The provision is therefore appropriate.

(C) Residential Amenity

ALP policy D DM1 requires the Council have regard to certain aspects when considering development including having minimal impact to users and occupiers of nearby property and land. Regard should be had to para 127 of the NPPF which states that developments should provide a high standard of residential amenity for existing and future users. ALP policy QE SP1 states: "The Council requires that all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity".

The Council now has an adopted Design Guide which sets out guidance on garden depths and interface distances between houses:

- Back to Back: min. 21m between habitable rooms of properties or to existing buildings;
- Back to Side: min. 14m between habitable rooms and side gable of adjacent property;
- Front to Front: min. 16m between habitable rooms of properties facing each other; and

- Back to Boundary: min. 12m between habitable rooms and site boundary to existing landscaping.

There are no standards given for either front to side, side to side or front to back. The layout has been checked and all of the interface distances meet these standards.

The layout results in a mix of back-to-back & back-to-side relationships and the vast majority are considered to be in accordance with these standards. The exceptions are the back-to-side relationships of 8 & 9 to 10 and 30 & 31 to 32 which are only around 11.5m. It is material that the Design Guide provides guidance (not policy) and allows for flexibility. In addition, there is no change to this aspect since the approval of Y/39/20/RES.

The depths of the rear gardens to plots 32-42 ensure a 21m back-to-back distance if a similar arrangement was proposed on the Clays Farm site to the southwest. In respect of existing residential properties, the distances all more than exceed the standards (with distances around 29m, 59m, 69m).

All relationships between proposed & existing and between proposed & proposed dwellings are acceptable and ensure a high standard of amenity for existing and future users. The scheme accords with ALP policies D DM1, QE SP1, with the emerging Design Guide and with the guidance in the NPPF on amenity.

(D) Parking, Roads and Public Footpaths

ALP policy T SP1 states in respect of parking that: "The Council will support transport and development which: incorporates appropriate levels of parking in line with West Sussex County Council guidance on parking provision and the forthcoming Arun Design Guide taking into consideration the impact of development upon on-street parking". The policy also states proposals must explain how the development has been designed to:

- (i) accommodate the efficient delivery of goods and supplies;
- (ii) give priority to pedestrian and cycle movements and have access to high quality public transport facilities;
- (iii) create safe and secure layouts for traffic, cyclists and pedestrians whilst avoiding street clutter;
- (iv) incorporate facilities for charging electric and plug-in hybrid vehicles (where charging facilities are to be omitted from the development, evidence of market demand and viability must be provided); and
- (v) consider the needs of people with disabilities by all modes of transport.

ALP policy T DM1 sets out the need to protect and enhance public pedestrian routes including to enable better access by cyclists. YNDP policy PK1 sets out required parking standards but this now has lower weight due to the adoption of the Arun Parking Standards SPD.

The proposal makes provision for a shared access onto Maypole Lane and also new foot/cycle path links onto North End Road and into Clays Farm to the southwest. The layout clearly provides an enhancement of public routes through the site.

WSCC Highways have appraised the reserved matters layout including with reference to the large vehicle tracking drawings and have no concerns with how the road layout will function.

In terms of parking, the requirement according to the Arun Parking SPD is 103 which consists of 94 allocated spaces (at either 2 or 3 per dwelling) and 9 visitor spaces. The proposal is for a total of 111.5 spaces comprising of 87 allocated spaces, 13 detached garage spaces, 18 integral garage spaces and 9 visitor spaces. Garages are treated as half a space as per the SPD hence the 0.5 in the total. The proposal therefore exceeds the parking requirements.

The applicant has not provided garage plans/elevations and so a condition will be imposed to secure these. However, it is material that garage plans were provided with Y/39/20/RES and these demonstrated that the garages meet the minimum dimensions set by the SPD.

The Arun Parking Standards SPD also sets out a requirement for cycle storage provision and this requires that 1 & 2 bed homes have 1 space each whilst 3+ bed houses have 2 spaces. The application does not detail cycle storage provision so this will be secured by a condition instead.

The proposal accords with ALP policies T SP1, T DM1 and with the Parking Standards SPD.

(E) Waste Management

ALP policy WM DM1 states that new residential development, will be permitted provided that it is designed to ensure that kerbside collection is possible for municipal waste vehicles.

WSCC Highways have no objections to the ability of refuse vehicles to access and leave the site in a forward gear. Therefore, there is no highway safety issue with the collection of refuse. The application states that bins will be stored in gardens but provides no details as to where. However, condition 16 on the Outline Permission (as varied) seeks to control details of bin storage so the applicant will need to separately submit such details for approval. Therefore, the proposal is considered to comply with policy WM DM1.

(F) Surface Water Drainage

ALP policy W DM3 (Sustainable Urban Drainage Systems) states: "To increase the levels of water capture & storage and improve water quality, all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS), appropriate to the size of development, at an early stage of the design process." YNDP Policy E11 requires developments be designed and constructed to minimise the overall level of flood risk in the parish; and provide appropriate surface water drainage.

The Councils drainage engineers are not able to confirm at this time that the filtration drainage method will work and consider more investigations will be required to try and find a solution. Whilst the Engineers do not object, it is clear that they have little confidence as to how the site can be drained.

It is considered that a similar approach can be taken here to how other applications in the local area (including Y/39/20/RES) have been determined. In these cases, it was made clear that if the drainage conditions cannot be agreed due to the layout not providing sufficient space then a new Reserved Matters application will need to be submitted to account for the necessary drainage features. These other permissions represent material considerations. On this basis, this reserved matters application can be determined without the full support of drainage engineers and therefore it is not necessary to demonstrate compliance with policy W DM3 at this time.

(G) Foul Water Drainage -

The site falls in the Lidsey Wastewater Treatment Catchment Area. ALP policy W DM1 states that a drainage impact assessment is required for all major development and this has not been provided.

It should be noted that the Councils planning application validation list only requires a Lidsey Foul Water Environmental Assessment Statement in cases where non-mains drainage is proposed and this application proposes a connection to mains drainage which was agreed at the Outline application stage.

At that time, Southern Water raised no objections subject to conditions being imposed. Although there is conflict with policy W DM1, it is not considered that a refusal on this matter would be sustainable.

(H) Biodiversity

ALP Policy ENV DM5 states: "Development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on site. They shall also however incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats (whether designated or not)."

YNDP policy E3 seeks to prevent loss of natural habitat but states it may be acceptable where mitigation measures ensure the integrity of the habitat or where the habitat is relocated to a site within 500m. Policy E4 states sites should retain well-established features of the landscape, including mature trees and species-rich hedgerows, new tree planting will be required to mitigate significant loss.

Para 175 of the NPPF states: "If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;"

The YNDP policies relate to the principle of development but the loss of any existing vegetation will be mitigated by new planting. In respect of ENV DM5, condition 14 of the Outline Permission required that a separate submission of details be made to provide details of the measures to avoid/mitigate ecological impacts and provide ecological enhancements as recommended by the original Extended Phase 1 Habitat Survey. This condition was separately discharged under refs Y/118/20/DOC and Y/125/20/DOC. The Council's Ecologist raises no objections and requests no further information.

The Local Planning Authority considers that despite the development of the site with new physical development, its former use as an agricultural field compared to the proposed enhancements/creation of new habitat etc means that there will be an overall net gain. All of the proposed trees are considered to be in practical locations such that their long term survival can be ensured. The amount of new tree planting will therefore also contribute to biodiversity net gain.

Therefore, the proposal complies with ALP policy ENV DM5 and YNDP policies E3 and E4.

(I) Internal & External Space Standards

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

The applicant has not provided an accommodation schedule but states that the houses are designed in accordance with the standards. This has been checked and the terraced (Tavy & Dart) and maisonette (Leadon) house types are all in accordance whilst the other larger houses (Letchworth, Warwick, Amberley, Stratford, Oxford & Henley) all far exceed the required standards.

The changes proposed by Y/146/20/RES include an additional 0.3m to the length of the Tavy house type and also the Leadon house type is 0.3m longer than the A1/A2 house type which it replaces. These changes therefore provide additional floorspace to these plots. The scheme is therefore acceptable in terms of internal space standards.

The Arun Design Guide sets out standards for garden sizes as follows:

- Private Rear Garden: min. 10.5m depth;
- Private Front Garden: min. 2m depth;
- Balconies: max. 2m beyond the building frontage, subject to minimum balcony to balcony distances of 17m. At least 3sqm of useable space; and
- Communal Shared Spaces for flats: minimum 40sqm plus 10sqm for each unit if not provided as balcony space.

The terraced plots 10, 11, 18 & 19 do not have a 2m front garden area (this is only around 1m) but the other houses all have front gardens that exceed the standard. In respect of rear gardens of the houses, the majority are at least 10m and those where there is a back-to-back arrangement are 10.5 (in order to allow for a 21m back-to-back relationship). As a result of the changes to the Tavy and Leadon house types (0.3m extra length), there is a corresponding reduction in the amount of rear garden and this results in the gardens of plots 18, 19, 26 and 27 being less than 10m in length.

Whilst there is some shortfall against the standards in respect of the houses, this is acceptable as the Design Guide is guidance not policy and allows for a flexible approach. In addition, privacy distances are maintained. A condition will be imposed in respect of those gardens which are under 10m in depth to remove permitted development rights for rear extensions and outbuildings.

The 6 maisonettes are considered to be flats for the purposes of the Guide. These have a half share of a rear garden. These vary in size with the smallest being around 30m² and the largest being around 90m². These are all appropriate levels of amenity for these dwellings. On this basis the scheme provides a good standard of amenity for future occupiers.

(J) Climate Change

ALP policy ECC SP2 requires residential and commercial development be energy efficient and should incorporate decentralised, renewable and low carbon energy supply systems. It states for major developments, 10% of the total predicted energy requirements should be produced from renewable/low carbon energy generation on site, unless it is demonstrated this is unviable.

The application doesn't include details of sustainability/renewable energy measures. Condition (21) of the Outline Permission (as varied) requires these details to be approved separately. There is no conflict with the policy. Condition (26) requires an electric vehicle charge point be installed to serve each dwelling. This is a greater requirement than set out in the Parking Standards SPD and reflects an earlier, more stringent Council policy. The proposal will be developed in accordance with policy ECC SP2.

SUMMARY:

This report demonstrates there are no materially harmful concerns with the reserved matters scheme and the application is in accordance with the development plan when read as a whole. There are some policy conflicts are set out above but these are either outweighed by material considerations or are so minor that a refusal would not be defensible. It is therefore recommended that permission be granted subject to additional conditions alongside those imposed on Y/49/17/OUT (varied by Y/13/18/PL).

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

It is not possible to secure CIL for this development as infrastructure contributions have already been secured through the S.106 Agreement attached to the Outline planning permission.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be carried out in accordance with the following approved plans:

A856_23 - Site Location Plan;
 A856_13 Rev H - Enclosures Plan;
 A856_14 Rev I - Materials Plan;
 A856_015 Rev I Occupancy Plan;
 A856_16 Rev H - Massing Plan;
 A856_17 Rev H - Affordable Housing Plan;
 A856_18 Rev H - External Surfaces Plan;
 A856_19 Rev H - Parking Plan;
 A856_20 Rev H - Refuse Plan;
 A856_22 Rev H - Street Scenes A-C;
 A856_73E - Coloured Site Layout;
 A856_63E - Site Layout;
 25 EF_LETC_SM.5 Rev A Letchworth Special Heritage Collection F Series Floor Plans
 27 EF_LETC_SM.5 Rev A Letchworth Special Heritage Collection F Series Elevations
 28 EF_WARWQ_DM Rev A Warwick Special Heritage Collection F Series Floor Plans & Elevations
 29 EF_AMBY_DM.8 Rev A Amberley Heritage Collection F Series Floor Plans & Elevations
 30 EF_STRAQ_DM.1 Rev A Stratford Lifestyle Heritage Collection F Series Floor Plans & Elevations

31 EF_STRAQ_DM.1 Rev A Stratford Lifestyle Heritage Collection F Series Floor Plans & Elevations
 32 EF_OXFOQ_DM.3 Rev A Oxford Lifestyle Heritage Collection F Series Floor Plans & Elevations
 34 EF_HENL_DM.6 Rev A Henley Heritage Collection F Series Floor Plans
 35 EF_HENL_DM.6 Rev A Henley Heritage Collection F Series Elevations
 074 Dart-Leadon Floor Plans;
 075 Dart-Leadon Elevations;
 076 Dart-Leadon Elevations;
 077 Rev A Tavy-Leadon Floor Plans;
 078 Rev A Tavy-Leadon Elevations;
 079 Rev A Tavy-Leadon Elevations;
 080 Rev A Tavy-Leadon Floor Plans;
 081 Rev A Tavy-Leadon Elevations;
 86 Timber Bin Store Plots 10-19 Floor Plans;
 87 Timber Bin Store Plots 10-19 Elevations & Sections;
 88 Timber Bin Store Plots 26-29 Floor Plans;
 89 Timber Bin Store Plots 26-29 Elevations & Sections;
 D2831 FAB 1 GL DR L 0100 PL06 - Coloured Landscape Plan;
 D2832 FAB 00 XX DR L 503 PL05 - Detailed Plan Provision - LAP;
 D2832 FAB 00 XX SP L 001 PL05 - Landscape Maintenance and Management Specification;
 D2832 FAB 1 GL DR L 0301 PL06 - Detailed Planting Plan Sheet 1 of 2;
 D2832 FAB 1 GL DR L 0302 PL06 - Detailed Planting Plan Sheet 2 of 2;
 D2832 FAB 1 GL DR L 0303 PL06 - Planting Schedule and Maintenance Specification;
 D2832 FAB 1 GL DR L 0501 PL06 - Boundary Treatment Plan Sheet 1 of 2;
 D2832 FAB 1 GL DR L 0502 PL06 - Boundary Treatment Plan Sheet 2 of 2;
 D2832 FAB 1 GL DR L 601 PL06 - Tree Setting Out Plan Sheet 1 of 2;
 D2832 FAB 1 GL DR L 602 PL06 - Tree Setting Out Plan Sheet 2 of 2;
 18-343-100 Rev D - Refuse Vehicle Tracking;
 18-343-102 Rev E - Fire Tender Vehicle Tracking;
 18-343-103 Rev C - Tanker Vehicle Tracking;
 18-343-104 Rev D - General Arrangement Plan; and
 S2832 FAB 00 XX SP L 001 Landscape Maintenance & Management Specification.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1, D SP1, HER DM1, HER DM2, QE SP1 and T SP1 of the Arun Local Plan.

- 2 All trees and hedgerows to be retained within the site shall be protected in accordance with the Detailed Planting Plans (drawings 0301 PL06 & 0302 PL06) and the "Landscape Maintenance & Management Specification" ref 001. Any tree pruning considered essential to enable the agreed development must meet the requirements of BS3998:2010 Tree work - Recommendations:

- Where whole branches are to be removed and final cuts made close to the trunk or branch union they are to be made as shown in Figure 2 of BS3998:2010
- Where branches are to be shortened back the final cuts are to be made at the correct angle shown in BS3998:2010 and adjacent to a live bud or lateral.

Reason: To comply with BS5837 and Arun Local Plan policy ENV DM4 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.

- 3 No development above damp proof course (DPC) level shall take place until full details of the proposed in-curtilage cycle storage spaces for the houses and maisonettes have been submitted to and approved by the Local Planning Authority and none of the houses/maisonettes shall be occupied until the approved cycle storage sheds/garages storage racks etc associated with them have been erected/provided. These cycle storage spaces shall thereafter be permanently retained and maintained.

Reason: To provide alternative travel options to the use of the car in accordance with Arun Local Plan policies T SP1 and T DM1.

- 4 No development above damp proof course (DPC) level shall take place until full elevation and floor plan details of the proposed detached garages have been submitted to and approved by the Local Planning Authority and none of the dwellings that have single garages shall be occupied until these approved garages have been implemented.

Reason: In accordance with Arun Local Plan policy T SP1 and because no garage plans have been provided despite being shown on the layout.

- 5 No development above damp proof course (DPC) level shall take place unless and until full details (materials/appearance) of any required works to the flint wall along the North End Road frontage have been submitted to and approved in writing by the Local Planning Authority. Any such approved changes to the wall shall then be completed in accordance with the approved details prior to occupation of any of the approved houses.

Reason: It is unclear at this time whether the wall will be retained in its entirety or whether it may need to rebuilt/extended. The retention of the wall is a positive feature of the proposal and the local area/streetscene so it is vital that any works to it are sympathetic. In accordance with policies HER SP1 & HER DM1 of the Arun Local Plan.

- 6 The footpath link shown between plots 40 & 41 on the approved drawings shall be laid out in accordance with the approved details and safeguarded to enable a future connection into the adjacent Clays Farm site. At such time as the developer of the adjacent site has begun to lay out their footpath then the developers of both that site and this shall work together to ensure that the corresponding pathways seamlessly link together to facilitate access between the two sites. The pathway shall thereafter be permanently retained and maintained in good condition.

Reason: To provide a footpath connection from the site into committed development on adjacent land in the interests of sustainable transport in accordance with Arun Local Plan policies T SP1 & T DM1 and with section 9 of the NPPF.

- 7 No external lighting shall be installed on any of the buildings unless and until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations within BS5489:1-2013 but also minimise potential impacts to any bats using the surrounding trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats), the interests of minimising crime and to minimise unnecessary light spillage outside the development site in accordance with policies QE SP1, QE DM2 & ENV DM5 of the

Arun Local Plan.

- 8 No construction / demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no works taking place on Sunday or Bank Holidays.

Reason: To protect the amenity of local residents in accordance with policies QE SP1 and QE DM1 of the Arun Local Plan

- 9 The car parking spaces hereby approved shall not be used for any purpose other than for the parking of vehicles and the garages shall not be used for any purpose other than the parking of vehicles and for domestic storage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: In the interests of ensuring sufficient vehicle parking and highway safety within the development in accordance with policy T SP1 of the Arun Local Plan.

- 10 All bathroom and toilet windows in the elevations of any of the buildings hereby approved shall be glazed with obscured glass and permanently retained so thereafter.

Reason: To protect the amenities and privacy of existing and future occupiers in accordance with policies D DM1 and QE SP1 of the Arun Local Plan.

- 11 No windows (other than those shown on the plans hereby approved) shall be constructed in the flank elevations of any of the dwellings hereby approved without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of existing and future occupiers in accordance with policies D DM1 and QE SP1 of the Arun Local Plan.

- 12 Notwithstanding the provisions of Parts 1 & 20 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (as amended) (or any Order revoking or re-enacting this Order) no front or flank dormer/roof extensions/alterations to the buildings associated with plots 23-31 shall be constructed unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: In the interests of heritage due to the presence of heritage assets along the North End Road frontage in accordance with policies HER SP1, HER DM1 & HER DM2 of the Arun Local Plan. Rear roof alterations/dormers are unaffected.

- 13 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 plots 18, 19, 26 & 27 shall be constructed or buildings shall be erected within the curtilage of the same plots unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To maintain adequate private amenity space in accordance with policy D DM1 of the Arun Local Plan and the Arun Design Guide.

- 14 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 15 INFORMATIVE: In the interests of crime prevention and deterrence, the development should incorporate security measures in accordance with the consultation advice of Sussex Police (dated 06/01/21) as available on the Councils website.
- 16 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.
- 17 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 the New Connections Services Charging Arrangements documents which is available to read on the SW website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.
- 18 INFORMATIVE: The applicant should note that this layout has been approved without sufficient site investigations to determine whether infiltration of surface water runoff is viable and therefore if it subsequently becomes clear that the drainage conditions cannot be agreed due to the layout not providing sufficient space for drainage then a new Reserved Matters application will need to be submitted as the Local Planning Authority will not be able to agree such changes through the Non Material Amendment process.