

Recommendation Report for Planning Permission

REF NO: Y/158/21/PL

LOCATION: The Steddles
North End Road
Yapton
BN18 0DT

PROPOSAL: Demolition of existing dwelling and outbuildings and construction of 11 No dwellings (net increase 10 units) with access, landscaping and associated works (alternative to approved Y/121/19/PL). This site is in CIL Zone 3 and is CIL Liable as new dwellings & is a Departure from the Development Plan.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is for 11 two-storey dwellings (9 detached, 2 semi-detached) with improvements to the access. The net gain in dwellings is 10 due to demolition of the existing. The access will be 4.8m wide with visibility splays of 2.4m by 45m. A new pavement is shown along part of the site frontage south of the access and this will be secured by a s278 highway agreement. This agreement will consider whether it is appropriate to provide an uncontrolled crossing point and/or extend the footway to meet the Clays Farm entrance to the south. The internal layout uses a shared surface arrangement. Plots 9 & 10 have single attached garages and plots 1, 2, 3, 4, 7, 8, 11 have car ports. All houses have on-plot parking spaces. A cycle store is shown in each rear garden but no elevational details of are provided. The layout includes 3 visitor spaces. Boundaries will be formed by hedging and fencing.
SITE AREA	0.45 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	24 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	Small/medium-sized trees of low quality and landscape value to be felled to achieve the layout.
BOUNDARY TREATMENT	3m hedge to front, 1.8m stone walls to sides and ranch fencing to rear with vegetation and trees.
SITE CHARACTERISTICS	Detached dwelling with single storey side extension and modern editions. Large greenhouse to side and large rear/front garden, set well back from road with shingle driveway. Flint and red brick walls with tiled roof. Well screened from the road with views available at the site entrance.

CHARACTER OF LOCALITY

Edge of settlement location. Small amount of detached houses on large plots with mature trees. The properties are set back from the road with off street parking and gardens to front. The site forms a linear pattern of development fronting North End Road. There are bus services along North End Road. Yapton has two GP surgeries, pharmacy, two churches, village hall and playing fields, primary school and some of shops.

To the west, lies Clay Farm which benefits from permission (Y/83/19/OUT & Y/18/21/RES) for 33 dwellings. To the south lies land to the north of the Yapton Primary School which is being built out by Dandara (38 dwellings). Further north is land known as "Land at Street Buildings" which is being built out by Redrow (45 dwellings).

RELEVANT SITE HISTORY

Y/168/21/DOC	Approval of details reserved by condition imposed under reference Y/121/19/PL relating to Condition Nos 6 - hedgerow mitigation, 9 - pre-commencement site meeting, 12 - foul drainage, 13 - Construction & Environmental Management Plan, 14 - contamination and 15 - bat method statement/mitigation strategy.	DOC Part Approved 26-01-22
Y/121/19/PL	Demolition of existing dwelling & outbuildings & erection of 11 No. dwellings (net increase 10 units), access, landscaping & associated works.	ApproveConditionally 30-07-20

The building is on the Council's historic Tithe maps (1836). It is clear from planning history it was a barn which was converted to a dwelling in the 1980's and has been extended on a few occasions since.

Permission was granted in July 2020 (Y/121/19/PL) and this was formally commenced on 07/02/22 following approval of pre-commencement conditions by Y/168/21/DOC. This application differs from Y/121/19/PL in respect of layout and the size/appearance of the dwellings. The current scheme provides approximately 300 square metres less internal floorspace than as approved.

REPRESENTATIONS

Yapton Parish Council - object. Recognise the site has permission for a smaller residential scheme but have concerns relating to highways, lack of safe pedestrian access and overdevelopment:

- Impact of additional traffic on North End Road;
- Request traffic calming & pedestrian safety measures including additional pavement and/or a contribution to such;
- Request that conditions be imposed to prevent garages/car ports being converted in the future;
- An additional dwelling above the previous 10 is overdevelopment;
- Request that the existing flint wall be continued along the whole North End Road boundary; and

- The Construction Management Plan (CMP) should prevent construction staff from parking on North End Road and ensure all deliveries are outside of the Primary School's drop off/pick up hours.

One resident objection stating they agree with the Parish Council comments. Query why demolition of The Steddles has started already.

COMMENTS ON REPRESENTATIONS RECEIVED:

The proposed amount of development is the same as the approved scheme and the overall amount (in terms of internal floorspace) is less than before.

Conditions have been included to prevent future conversion of the garages/car ports and to specify the CMP should address site parking and delivery times. The flint wall request was not raised previously but could be addressed through the discharge of the boundary treatments condition. Highway safety and traffic issues are considered in the reports conclusions. It is not possible to seek a targeted contribution to highway safety and the Parish will need to bid for CIL funds (or use their CIL monies).

The resident has not appreciated that the developer has started to implement the previous permission.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

SOUTHERN WATER - no objection subject to the imposition of a condition and an informative.

SUSSEX POLICE - no objection but list a number of advisory notes regarding improving security.

WSCC HIGHWAYS - no objection subject to conditions concerning construction management, car & cycle parking, turning and access. State:

- the amended layout appears to provide for additional car parking and alters the layout slightly;
- access arrangements are as previously commented on and accepted;
- a s278 agreement will secure off-site pedestrian improvements; and
- the proposed parking provision is acceptable.

WSCC SURFACE WATER DRAINAGE - no objection and state:

- Current surface water mapping shows that the site is at low risk from surface water flooding;
- Area of development shown to be at high risk from groundwater flooding based on current mapping but this does not mean the site will suffer flooding;
- No ordinary watercourse in close proximity to the site; and
- No records of historic surface flooding within the confines of the proposed site.

ADC TREE OFFICER - no objection subject to the imposition of three conditions and states:

- the principle of development is achievable without undue detriment to on and off-site amenity trees desirable for long-term retention; and
- small to medium-sized garden trees of low quality and landscape value are to be sacrificed to satisfactorily achieve the layout. This is reasonable and will not incur significant loss of visual amenity.

ADC DRAINAGE ENGINEER - no objection and requests the submitted drainage plans &

management/maintenance plan be referred to in the decision.

ADC LANDSCAPE OFFICER - no objection subject to the imposition of a landscaping condition.

ADC ENVIRONMENTAL HEALTH - no objections but request several conditions concerning construction management, construction hours, electric vehicle charge points and contamination.

COUNCILS ECOLOGIST - no objection subject to conditions to protect/enhance hedges, provide bat mitigation measures, careful removal of trees outside the bird nesting season, provision of bird boxes on the new houses, removal of hedgehog habitat outside of the hibernation period and protection off badgers & other mammals during construction.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and will be addressed in conclusions section except as discussed below:

COUNCILS ECOLOGIST - it is not appropriate to impose a condition to protect birds nests as this is covered by separate legislation and would fail to meet the 6 tests as per para. 55 of the NPPF.

POLICY CONTEXT

Designations applicable to site:

Outside the Built Up Area Boundary;
Lidsey Treatment Catchment Area;
Current/Future Flood Zone 1;
Class B Road;
CIL Zone 3; and
Area of Special Control of Adverts.

DEVELOPMENT PLAN POLICIES

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

CSP1	C SP1 Countryside
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
HERSP1	HER SP1 The Historic Environment
QEDM2	QE DM2 Light pollution
QEDM3	QE DM3 Air Pollution
QEDM4	QE DM4 Contaminated Land
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
TDM1	T DM1 Sustainable Travel and Public Rights of Way

TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM3	W DM3 Sustainable Urban Drainage Systems

Yapton neighbourhood plan 2014 Policy BB1	Built-up Area Boundary
Yapton neighbourhood plan 2014 Policy H1	Housing requirement
Yapton neighbourhood plan 2014 Policy H3	Dwellings appropriate for the needs of older people
Yapton neighbourhood plan 2014 Policy E3	Protection of natural habitats
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 E11	Minimising the impact of flooding from development
Yapton neighbourhood plan 2014 Policy PK1	Parking standards for new residential development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
NPPDG	National Design Guide

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD12	Open Space, Playing Pitches & Indoor & Built Sports Facilities
SPD13	Arun District Design Guide (SPD) January 2021

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The relevant policies within the Yapton Neighbourhood Development Plan (YNDP) have been considered in the preparation of this report. Yapton are currently working on a revised Plan (YNDP2) and are currently at regulation 16 stage such that it is necessary to refer to the emerging policies. It is noted that the new plan shows the site as being within the BUAB.

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 conflicts with the relevant development plan policies in that it would result in development outside of the defined settlement boundaries in the Arun Local Plan & the current Yapton Neighbourhood Development Plan.

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

- (2) in dealing with an application for planning permission the authority shall have regard to -
- (a) the provisions of the development plan, so far as material to the application,
 - (aza) a post examination draft neighbourhood development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are other material considerations to be weighed in the balance with the Development Plan and these are set out in the conclusions section.

CONCLUSIONS

PRINCIPLE:

On the basis of the new AMR, the policies most important for the determination in the ALP have reduced weight as Arun cannot demonstrate an adequate supply of housing land. Due to the HLS being below 3 years and also its age, the YNDP does not benefit from para 14 of the NPPF. The presumption in favour of sustainable development is unaffected by the Neighbourhood Plan.

Policy C SP1 states residential development in the countryside outside the BUAB will not be permitted unless it accords with policies in the Plan which refer to a specific use or type of development. None of these relate to the proposal. Policy SD SP2 states development should be focused within the BUAB. The proposal is outside the BUAB and so conflicts with ALP policies C SP1 and SD SP2.

The YNDP was made in November 2014 on the basis of the saved policies in the 2003 Arun District Local Plan and the draft policies in the 2014 publication version of the then emerging Arun Local Plan. The YNDP shows the site as being in the countryside.

Policy BB1 states development outside of the BUAB will not be permitted unless in accordance with 4 listed criteria. Criteria 3 is where the development relates to additional allocations for housing land in accordance with policy H1 and this allows for an additional 20% of the ALP housing requirement (equating to 100 dwellings) but this number has already been exceeded.

Above and beyond the 20%, the policy states any further housing development will only be permitted if it can be demonstrated that either the expected child yield would not result in the Yapton CE Primary School exceeding the maximum number of children permitted or that appropriate modifications and/or extensions to the School can be delivered at the developer's expense. Any approval of this proposal would be subject to a CIL contribution but there is no certainty that such money would be spent improving the school. Therefore, the proposal is in conflict with policy H1.

The emerging YNDP2 does not allocate additional housing land but does acknowledge the contribution made by dwellings which have planning consent as at March 2021 which includes the 11 dwellings already granted on this site. It is material that the YNDP2 proposes to enlarge the BUAB to include this and other approved sites.

The NPPF is an important material consideration in determining planning applications. As the Council cannot demonstrate a 5-year HLS, para 11(d) of the NPPF and the application of the 'presumption' for sustainable development is triggered.

ALP policy SD SP1 "Sustainable Development" states the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

Despite its countryside location, the site is sustainably located as it adjoins the designated BUAB and is surrounded on three sides by approved or existing residential development. The site is a short walk from Yapton Primary School and other facilities in the centre of Yapton. Occupiers can realistically use alternative methods of transport to the car to access shops, services and places of employment.

In terms of other environmental considerations, the development will not result in significant loss of trees or important wildlife habitat and new trees/other planting will be provided to compensate for any loss. The dwellings will be required to provide measures to comply with the Council's policy on energy reduction and carbon neutrality.

The 11 dwellings (net gain of 10) make a small contribution to the HLS shortfall and help meet future needs. Economic benefits consist of direct & indirect employment, resident expenditure and additional Council Tax receipts & New Homes Bonus payments. It is not clear where new jobs will be created (i.e. whether local, regional or national). CIL receipts could be used to contribute towards local infrastructure.

The New Homes Bonus and Community Infrastructure Levy are local finance considerations and as noted above, section 70(2) of Town and Country Planning Act 1990 (as amended) provides that local planning authorities should have regard to any local finance considerations, so far as material to the application.

The proposal meets the economic, social and environmental aspects of sustainable development and therefore the presumption in favour of sustainable development is engaged.

Other Material Considerations

In January 2022 the government published Arun's most recent Housing Delivery Test (HDT) results and showed that Arun achieved 65% thus triggering the application of the presumption in favour of sustainable development (although this is already being applied due to the HLS shortfall).

In February 2021, Arun published an Interim Policy Statement for Housing Delivery. This is not policy but it meant as a guide for developers proposing development on sites outside the BUAB and to inform planning decisions. It would apply to this site as it is adjacent to the BUAB set by the ALP.

It is material that permission has been granted for 11 dwellings on this site and that the permission has been formally commenced. As there is no change in the number of dwellings, it would not be sustainable to refuse this new application on the basis of development in the countryside.

Conclusion on Matters of Principle:

The principle of development on this countryside site is in conflict with the ALP and the YNDP but in accordance with the emerging YNDP2. Due to the Council's HLS being below 5 years, the application would fall to be determined by the NPPF presumption in favour of sustainable development.

HERITAGE:

The Steddles is on the Council's historic Tithe maps produced in response to the Tithe Commutation Act 1836. As per the officer report for Y/121/19/PL, the dwelling may have historic significance and whilst not statutorily or locally listed, should be considered as a Non-Designated Heritage Asset.

ALP Policy HER SP1 states development likely to prejudice heritage assets including Non-Designated Heritage Assets (NDHA) and their settings will be refused. Para. 203 of the NPPF states in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The Heritage Assessment sets out that the house at the Steddles was converted from a barn in the 1980's and has been extensively extended, re-modelled and had its fenestration altered to create a large detached dwelling. The assessment considers that by virtue of the incremental extensions and changes to the property, any original features or character of the building have been eroded and the property appears wholly domestic. The grounds surrounding the property have taken on a residential character and use, mainly laid to lawn with domestic outbuildings. The Assessment concludes the dwelling no longer contributes to the historic character of the surrounding area and has very limited value as a non-designated heritage asset.

The proposal results in the total loss of this NDHA however, the historical significance of the asset has already been lost by the addition of extensions granted over the years and external changes to the setting. There is no conflict with ALP policy HER SP1 or the guidance in the NPPF.

TRAFFIC & ROAD SAFETY:

ALP policy T SP1 seeks to ensure development provides safe access on to the highway network; contributes to highway improvements (where appropriate) and promotes sustainable transport. Schemes should accommodate the efficient delivery of goods and supplies; give priority to pedestrian and cycle movements, be accessed by high quality public transport facilities, create safe and secure layouts for traffic, cyclists and pedestrians and provide appropriate levels of parking. Policy T DM1 requires new development be located in easy access of established non-car transport modes/routes.

Para. 110 of the NPPF states: "In assessing .. specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users". Para. 111 states: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

WSCC consider the access arrangements (which are the same as previously approved) are safe & suitable and that the traffic impact of the development will not be significant. An independent Road Safety Audit (RSA) was carried out and the accompanying Designers Response set out how these situations will be mitigated or resolved. WSCC Highways assessed these and raised no objections. Many of the issues raised concern on works outside of the site and will be agreed & implemented through a s278 highways agreement.

The Council's Parking Standards SPD sets out a need for 24 allocated spaces and 2.2 visitor spaces. The two garages meet the internal dimensions requirement (3x6m) and can be counted as providing half a space each. The layout shows a total of 31 spaces and 3 additional visitor spaces. YNDP policy PK1 is relevant in respect of car parking but sets out the same standards as in the SPD and there is no conflict with this policy.

ALP policies T SP1 & T DM1 require development to reduce the need to travel by car and give priority to pedestrian and cycle movements. The site is located on a road with bus stops and it is only a short distance from nearby shops, a school and a doctors surgery. The proposal shows new pavement on half the frontage and this will be subject to detailed consideration through a s278 highway agreement at which time, it may be extended to meet the Clays Farm entrance and/or include a pedestrian crossing

added to allow access to the existing footway on the opposite side of the road.

Block plans show cycle storage sheds to the rear of each dwelling which have sufficient space for cycle storage. As there are no elevations a condition will be added to secure these. The Arun Parking Standards SPD require a single cycle space for 1/2 bedroom houses and 2 spaces for 3+bed houses.

The proposal accords with development plan policies and guidance on highway safety within the NPPF.

CHARACTER AND DESIGN:

ALP policies D SP1 and D DM1 require development make the best possible use of land by reflecting or improving on the character of the site/surrounding area. Policy LAN DM1 states development should respect the particular characteristics & natural features of the relevant landscape character areas and seek, wherever possible, to reinforce or repair the character of those areas.

YNDP policy H1 refers to encouraging small-scale residential developments that are sympathetic to their surroundings and providing well-designed dwellings that are sympathetic to the character of the village. Emerging YNDP2 policy H4 encourages high quality & sympathetic design, appropriate density and sufficient outdoor space.

Section G of the Arun Design Guide suggests a density of 15-25 for detached/semi-detached houses in village locations. The density should be appropriate to the location, balancing the need for efficient use of land with a design that responds to and enhances the existing character. The density of 24 is in this range. Section J refers to new building design and states development must ensure existing character and sense of place of an area is respected and enhanced. New development should generally reflect the scale of existing buildings and avoid shading neighbouring properties.

The proposal is for 11 homes, 2 no. 2 bed, 7 no. 3 bed and 2 no. 4-bed, on previously developed land measuring 0.45 hectares. The layout/scale is very similar to the approved scheme with the differences being the size of the dwellings (some are smaller), their orientation and the introduction of car ports. The two-storey scale remains the same as does road layout.

The architectural approach focuses on traditional design with a simple appearance and a materials palette reflective of houses in the local area with brick, weatherboarding, flint, stone, tiles and slate. Chimneys are included on six dwellings. Elevations show dwellings would vary between 8.2m and 9.4m high. Roof forms vary from gable to hipped which adds variety and interest to the street scene and reduces mass/bulk. The ridge height accords generally with built form in the vicinity.

House designs and the layout has led to a well-proportioned scheme, where plots compare favourably with nearby properties, and provide appropriate scale of development consistent with the surrounding form of residential development without resulting in harm to the character of the area. The proposal does not conflict with the relevant development plan policies or guidance.

RESIDENTIAL AMENITY:

ALP policy D DM1 requires there be minimal impact to users/occupiers of nearby property and land. Policy QE SP1 requires all development contribute positively to the quality of the environment and ensure development does not have a significantly negative impact on residential amenity. The Council's Design Guide sets out the following guidance on interface distances between houses:

- Back to Back: min. 21m between habitable rooms of properties or to existing buildings.
- Back/Front 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.
- Back to Boundary: min. 12m between habitable rooms and site boundary to existing landscaping.
- There are no standards for either side to side or front to back.

The location of the linear rows of houses achieves good sized gardens and appropriate separation distances between dwellings. Separation distances between the development and existing dwellings is sufficient to prevent overlooking or overshadowing of neighbouring properties. To the north-east, St Mary's Vicarage is separated from plot 10 by a distance of approximately 24m.

Since the previous application, reserved matters applications have been approved for the Clays Farm site to the west and the Land North of the School site to the south and so the position of houses on these sites is known. There is a permitted scheme on this site and the effect of this application is to bring houses and their windows further away from boundaries increasing the interface distances. The exception is that the flank wall of plot 4 moves slightly (by 0.4m) towards the southern boundary but there are no windows on this flank.

Due to the orientation of the properties in the layout and the separation distance across the access road, overlooking in the site would also not occur. The proposal would not cause harm to the amenities of existing neighbouring occupiers or to those of future occupiers.

QUALITY OF ACCOMMODATION:

ALP policy D DM2 states that internal spaces should be of an appropriate size and that the Nationally Described Space Standards provide guidance. Despite some of the houses being smaller than before, all essentially comply with the internal space standard requirements:

Plot 1 - 95.76m² (proposed) vs 93m² (required);

Plot 2 - 102.48m² vs 93m²;

Plot 3 - 102.92m² vs 93m²;

Plot 4 - 92.96m² vs 93m²;

Plot 5 - 69.68m² vs 70m²;

Plot 6 - 69.68m² vs 70m²;

Plot 7 - 95.76m² vs 93m²;

Plot 8 - 102.92m² vs 93m²;

Plot 9 - 161.35m² vs 115m²;

Plot 10 - 161.35m² vs 115m²; and

Plot 11 - 92.96m² vs 93m².

The shortfalls in respect of plots 4, 5, 6 & 11 are very minor and the standards are guidance not policy.

The Arun Design Guide requires rear gardens are a minimum of 10.5m deep and front gardens at least 2m. All properties have sufficient front gardens and with houses smaller than before rear garden lengths have increased. Previously those backing onto the Clays Farm boundary were 9.5m to 11m and they are now 10.5 to 14m. The proposal provides a decent standard of amenity for future residents.

HOMES FOR OLDER PEOPLE:

YNPD Policy H3 requires that a minimum of 25% of the 1, 2 and 3 bed dwellings are delivered to Lifetime Home Standards. The lifetime homes standard was replaced by the M4(2) standard in the Building Regulations. In order to comply with the YNDP policy, this application should provide 2 no. M4(2) homes. As the proposal is for 10 dwellings (net), Arun's "Accommodation for Older People and People with Disabilities" guidance does not apply. A condition is imposed to ensure compliance with the YNDP

requirements.

SURFACE WATER DRAINAGE:

The site is not affected by current or future flooding from rivers/sea and is within Flood Zone 1. ALP policy W DM3 states all development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS) as appropriate to the size of development. 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.

As a drainage scheme has recently been agreed for the approved scheme, the applicant has been able to amend it to suit the altered scheme. Engineers are happy and raise no objections provided the approved scheme is referred to in the list of approved plans. A condition has been worded to ensure this and to require drainage is fully implemented prior to occupation. On this basis, there is no conflict with the relevant policies.

FOUL DRAINAGE:

ALP policy W DM1 states all developments must demonstrate that adequate drainage capacity exists or can be provided as part of the development. Where adequate capacity does not exist, there will be a requirement that facilities are adequately upgraded prior to the completion and occupation of development. Sites in the Lidsey Catchment Area (such as this) must be accompanied by a Drainage Impact Assessment.

The submission does not include a Foul Drainage Impact Assessment and so there is conflict with the policy. It is material that this position was accepted by the previous application which has commenced and that a foul drainage scheme has been agreed by condition associated with that approval. It would not be sustainable to refuse based on non-compliance with the policy.

LANDSCAPE & TREES:

ALP policy ENV DM4 requires protected trees, Ancient Woodland, those in a Conservation Area or trees that contribute to local amenity are not damaged or felled unless the development meets the certain criteria including that the benefits outweigh the loss of trees or woodland. Policies LAN DM1 and D DM1 are relevant.

YNDP policy E4 states development sites should retain well-established features of the landscape, including mature trees and species-rich hedgerows. New tree planting will be required to mitigate any significant loss. Emerging YNDP2 policy E4 requires that native tree species be used.

The Council's Landscape Officer has no objections subject to a landscape scheme to be conditioned. The Council's Tree Officer raises no objections on the basis that trees to be lost are small to medium-sized garden trees of low quality/landscape value. As trees to be removed are low quality and as these houses will contribute to the HLS shortfall, their loss can be sustained with regards to policy ENV DM4. The proposal complies with ALP policies D DM1, D SP1 & ENV DM4 and with YNDP policy E4.

BIODIVERSITY:

ALP policy ENV DM5 states development schemes shall seek to achieve a net gain in biodiversity and protect habitats on site. YNDP policy E3 seeks to prevent loss of natural habitat except where mitigation measures ensure the integrity of the habitat or where the habitat is relocated to a site within 500m of the existing. Emerging YNDP2 policy E5 sets out a requirement for biodiversity net gain.

The application is accompanied by a Preliminary Ecological Appraisal Report which the Councils ecologist has reviewed. This states the site comprises amenity grassland, areas of hardstanding, bare ground, short perennial vegetation, dense scrub and buildings. Hedgerows, scattered trees and a small pond are present. The Appraisal noted the presence of two summer day roosts for common pipistrelle within one of the buildings but overall the site is of low ecological value.

This has been accepted by the Councils ecologists and conditions are included to mitigate the impact on species. This position was accepted by the previous application and there has been no change to the site's ecological value.

In respect of biodiversity net gain, the applicant has provided an ecological enhancement plan setting out proposals to provide compost & log piles, holes in fences for hedgehogs/small mammals to pass through, hedgehog houses, rough grassland, bird boxes/nests and bat boxes. These measures will be enforced through a condition. The landscaping scheme requires new native trees are planted on a ratio of 2 for every 1 lost.

The proposal complies with the ALP policy ENV DM5 and YNDP policy E3.

CLIMATE CHANGE:

ALP policy ECC SP2 requires all new residential and commercial development be energy efficient and incorporate decentralised, renewable and low carbon energy supply systems. ECC SP1 requires new development be designed to adapt to impacts arising from climate change. Emerging YNDP2 policy H5 supports development which meets the highest possible standards of environmental and energy efficiency.

The application sets out some details of how the buildings will be energy efficient but a condition needs to be imposed to control the details of this. A condition is included to require electric vehicle charge points. On this basis, there would be no conflict with the relevant policies.

PUBLIC OPEN SPACE & PLAY:

ALP policy OSR DM1 requires housing developments provide sufficient public open space, playing pitch provision and indoor sport & leisure provision. The Councils SPD "Open Space, Playing Pitches, Indoor and Built Sports Facilities" (January 2020) does not require on-site Public Open Space (POS) or Play for a site of this size and it is not possible to use s106 to secure off-site contributions due to conflict with CIL.

SUPPORTING INFRASTRUCTURE:

ALP policy INF SP1 requires development proposals provide or contribute towards the infrastructure & services needed to support development to meet the needs of future occupiers and the existing community.

This development is liable for CIL and infrastructure providers such as WSCC & the NHS can make a bid for a portion of the CIL payments collected to spend on their own projects. The Parish Council will be provided with 25% of the CIL receipts to spend on their own projects. These payments go towards providing the infrastructure that the district needs to support existing and future development.

SUMMARY:

The principle of development on this countryside site is in conflict with the ALP and the YNDP but it is

material that the emerging YNDP2 includes the site in the BUAB. Given the HLS is below 5 years, the application would fall to be determined by the NPPF presumption in favour of sustainable development.

This states at para 11 d (ii) where there are no relevant Development Plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole. The proposal represents sustainable development.

This report identifies conflict in respect of countryside development and the lack of a Drainage Impact Assessment but it is material that permission has been granted for 11 dwellings and the permission has recently been formally commenced. As there is no change in the number of dwellings, it would not be sustainable to refuse this new application on the basis of these conflicts.

The proposal will make a small contribution to the HLS shortfall along with other economic benefits. The adverse impacts identified do not significantly and demonstrably outweigh the benefits and there is no conflict with any of the other policies within the NPPF. The proposal is therefore recommended for approval subject to 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.

CIL DETAILS

This is a CIL Liable development. It is in Zone 3 and a CIL amount of £119,939.82 is payable unless the applicant applies for exemption subject to the requirements of the CIL Regulation 2010 (as amended). 25% of this amount (£29,984.95) would go to the Parish Council.

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 Location Plan 0001 Rev P03;
 Proposed Block Plan 0002 Rev P04;
 Proposed Site Plan 0003 Rev P05;
 Plots 1 & 7 Floor Plans, Elevations, Roof Plan 0005 Rev P04;
 Plot 2 Floor Plans, Elevations, Roof Plan 0006 Rev P04;
 Plots 3 & 8 Floor Plans, Elevations, Roof Plan 0007 Rev P04;
 Plots 4 & 11 Floor Plans, Elevations, Roof Plan 0008 Rev P04;
 Plots 5 & 6 Floor Plans, Elevations, Roof Plan 0009 Rev P04;
 Plots 9 & 10 Floor Plans, Elevations, Roof Plan 0010 Rev P04;
 Proposed Car Ports 0011 Rev P02;
 Proposed Ecological Enhancement Plan SDL-MHA-00-XX-DR-A-0020 Rev P01; and
 Tree Protection Plan, dwg. no. 2382-02-P2.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1, QE SP1, ENV DM4, ENV DM5 and T SP1 of the Arun Local Plan.

- 3 The development shall proceed in full accordance with the approved surface water drainage scheme and management & maintenance regime as set out in the following documents:

435409/01/P8 Drainage General Arrangement;
 435409/02/P7 Drainage Construction Details; and
 435409 SuDS Maintenance and Management Plan dated 07/01/22.

The drainage scheme shall be implemented in accordance with the approved scheme prior to occupation of any of the dwellings and permanently retained in good working order in perpetuity. The owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan.

- 4 The development must be carried out in accordance with the "Proposed Ecological Enhancement Plan" (drawing SDL-MHA-00-XX-DR-A-0020 Rev P01) with the exception that the bat box shown on the southern aspect of plot 8 must be moved to the northern aspect of plot 7. The enhancements and mitigation measures shown on the drawing shall be implemented in full and permanently retained and thereafter maintained as fit for purpose.

Reason: In accordance with Arun Local Plan policy ENV DM5 and the NPPF.

- 5 No demolition/construction activities shall take place other than from 08:00 hours until 18:00

hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no noisy work (defined as not involving any machinery/plant) on Sunday or Bank/Public Holidays.

Reason: To protect the amenity of local residents and on-site biodiversity in accordance with policies ENV DM5, QE SP1 and QE DM1 of the Arun Local Plan and the NPPF.

- 6 Any brush piles, compost or debris piles on the site must only be removed outside of the hedgehog hibernation period (mid-October to mid-March inclusive) unless first checked by a qualified ecologist. If any small mammals are found then they must be relocated away from the construction area into surrounding suitable habitats. All piles removed outside of the hedgehog hibernation period must undergo soft demolition.

Reason: To mitigate harm to any hedgehogs using the site in accordance with Arun Local Plan policy ENV DM5 and the NPPF.

- 7 No development shall commence until a mitigation method statement has been submitted to and approved in writing by the Local Planning Authority to provide details of how the existing hedgerows are to be retained, protected and enhanced. There must be a 5m buffer zone in place secured by fencing around the hedgerows during construction. The development shall thereafter proceed in accordance with the approved hedgerow protection and enhancement measures.

Reason: Bats use the hedgerows for foraging and commuting and therefore in accordance with the NPPF and policy ENV DM5 of the Arun Local Plan. This is required to be a pre-commencement condition because the hedgerow protection scheme must be in place prior to construction starting.

- 8 All activity at the site is to be carried out in strict accordance with the approved Arboricultural Impact Assessment & Method Statement, Ref: 2382 Rev-01, 7 October 21.

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 their installation a Method Statement prepared by an Arboricultural Expert must be submitted 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 out on site.

Reasons: To comply with BS5837 and policy ENV DM4 of the Arun Local Plan 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. This is required to be a pre commencement condition because it is necessary to ensure that trees are fully protected before the ground is disturbed and works commence.

- 9 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the NPPF) unless it can be demonstrated that a fabric-first approach would achieve an equivalent energy saving. Details and a timetable of how this is to be achieved for each phase or sub phase of development, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority before any development in that phase or sub phase begins. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter.

Reason: In order to secure a reduction in the use of energy at the site in accordance with national planning policy and policy ECC SP2 of the Arun Local Plan. This is required to be a pre-commencement condition because the approved measures may need to be built into the

fabric of the buildings.

- 10 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 Planning Authority's Tree Officer and the Arboricultural Expert or other designated competent person representing the site owner(s) - at this meeting all protective fencing and ground protection measures will be inspected to verify 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, dwg. no. 2382-02-P2.

Reasons: 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. This is required to be a pre commencement condition because it is necessary to ensure that trees are fully protected before the ground is disturbed and works commence.

- 11 Prior to the commencement of construction works details of a proposed foul drainage system shall be submitted to and approved in writing by the Local Planning Authority (including details of its siting, design and subsequent management/ maintenance) and no dwelling shall be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details.

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul sewerage in accordance with policies W DM1 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the foul water drainage system prior to commencing any building works.

- 12 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 (who shall consult with West Sussex County Council and the Councils Environmental Health Officers). Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- An indicative programme for carrying out of the works;
- Details of the arrangements for public engagement/consultation prior to and continued liaison during construction works;
- Measures to minimise the noise (including vibration) generated by the construction process to include proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s);
- details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
- the anticipated number, frequency and types of vehicles used during construction,
- the timing of deliveries to avoid the Primary School drop-off/pick-up times
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors - such vehicles should not park on North End Road,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- The erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation

Orders),

- Measures to control the emission of dust and dirt during construction; and
- A scheme for recycling/disposing of waste resulting from demolition and construction works.

The Construction & Environmental Management Plan shall include reference measures to minimise disturbance to bats and other wildlife during construction including the briefing of site operatives, monitoring by an ecologist, either securing or providing a means of escape for all deep pits/trenches/holes present on the site at night-time and the checking of all excavations each morning for the presence of any mammals or other species.

Reason: In the interests of the safety/amenity of nearby residents & occupiers of any nearby noise sensitive premises, the safety & general amenities of the area and in the interests of highway safety in accordance with policies D DM1, QE SP1, QE DM1, QE DM2, QE DM3 and T SP1 of the Arun Local Plan and the NPPF. This is required to be a pre-commencement condition because it is necessary to have the site set-up agreed prior to access by construction staff.

- 13 No development shall commence until a bat method statement/mitigation strategy has been submitted to and approved in writing by the Local Planning Authority. This shall aim to remove or reduce the likelihood of damage to bats or their habitats, and offset the damage caused by development through compensation. This should cover all of the points set out within section 6.4 of the Bat Survey report by Natural Progression (ref UE0382_Steddles_Bats_0_200710, July 2020). The development shall thereafter proceed in accordance with the approved method statement/mitigation strategy.

Reason: Bats use the site for commuting/foraging and are known to roost within the existing house and therefore in accordance with the NPPF and policy ENV DM5 of the Arun Local Plan. This is required to be a pre-commencement condition because the agreed measures will have a bearing on the demolition of the house and development of its grounds.

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

Reason: In the interests of amenity and of the environment of the development in accordance with policy D DM1 of the Arun Local Plan.

- 15 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and local character in accordance with policy D DM1 of the Arun Local Plan.

- 16 No development above damp proof course (DPC) level shall take place until details of all new

screen walls and fences have been submitted to and approved by the Local Planning Authority and none of the approved dwellings shall be occupied until such screen walls/fences associated with them have been erected. Consideration should be given to extending the existing flint wall along the rest of the site frontage. The details to be provided shall ensure that gaps are provided at the bottom of all boundary treatments in the locations indicated on drawing SDL-MHA-00-XX-DR-A-0020 Rev P01 to ensure that hedgehogs and other small mammals are able to move into/out of and around the development.

Reason: In the interests of amenity and of wildlife in accordance with policies D DM1 and ENV DM5 of the Arun Local Plan and the NPPF.

- 17 No development above damp proof course (DPC) level shall take place unless and until details are provided and approved in writing by the Local Planning Authority to show how at least two of the 1/2/3 bedroom houses will be delivered to meet M4(2) of the Building Regulations 2010 (as amended). These particular dwellings shall thereafter be delivered in accordance with the approved details and these shall be maintained in good working condition thereafter.

Reason: To ensure that part of the development allows for residents to remain in their own homes over the course of their lifetime in accordance with policy H3 of the Yapton Neighbourhood Development Plan and policy DD DM1 of the Arun Local Plan.

- 18 Prior to the occupation of any part of the development, a strategy for the provision of the highest available headline speed of broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall take into account the timetable for the delivery of 'superfast broadband' (defined as having a headline access speed of 24Mb or more) in the vicinity of the site (to the extent that such information is available). The strategy shall seek to ensure that upon occupation of a dwelling, the provision of the highest available headline speed of broadband service to that dwelling from a site-wide network is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site will continue in accordance with the approved strategy.

Reason: To safeguard the amenities of future residents in accordance with Arun Local Plan policy TEL SP1.

- 19 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority. The spaces so provided shall be retained in perpetuity.

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

- 20 No part of the development shall be first occupied until the vehicle parking (including the garage and car ports) and turning spaces have been constructed in accordance with the approved plan. These parking spaces, car ports and garages shall thereafter be retained for their designated use.

Reason: In the interests of road safety and to provide adequate on-site car parking & turning space for the development in accordance with Arun Local Plan policy T SP1.

- 21 No part of the development shall be first occupied until such time as the vehicular access

serving the development has been constructed in accordance with the details shown on the drawing titled Proposed Site Plan and numbered 003 P05.

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

- 22 Prior to occupation of any of the dwellings, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved dwellings shall be submitted to the local planning authority for approval and thereafter implemented in accordance with the approved details and the charge points shall thereafter be retained and maintained in good working condition.

Reason: New petrol and diesel cars/vans will not be sold beyond 2030, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the NPPF.

- 23 Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained and in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan.

- 24 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.

Reasons: In the interest of continued health and vitality of trees and to accord with current industry guidelines and sound arboricultural practice including policy ENV DM4 of the Arun Local Plan.

- 25 No external lighting shall be installed on site until full details (including type of light appliance, the height and position of fitting, predicted illumination levels and light spillage) have been submitted to and approved in writing by the Local Planning Authority. The submission should also cover new streetlighting if required. The scheme should seek to conform with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (GN01:2011) but also minimise potential impacts to any bats using the trees and hedgerows (in accordance with the BCT/ILP Guidance Note 08.18) by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and 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.

- 26 If during development, any visible contaminated or odorous material, (for example, asbestos

containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun Local Plan policies QE SP1 and QE DM4.

- 27 All bathroom, dressing room and toilet windows hereby approved shall be glazed with obscured glass and permanently retained 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.

- 28 No windows (other than those shown on the plans hereby approved) shall be constructed in the first floor 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.

- 29 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) there shall be no rear extensions or outbuildings constructed in the curtilages of plots 5, 6 or 11 unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To maintain adequate private amenity space and to protect important trees in accordance with policies D DM1 and ENV DM4 of the Arun Local Plan.

- 30 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) there shall be no alterations to any of the approved car ports within the site (plots 1, 2, 3, 4, 7, 8 & 11) unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To maintain an adequate supply of parking spaces within the development in accordance with policy T SP1 of the Arun Local Plan.

- 31 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.

- 32 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 following website: <https://beta.southernwater.co.uk/infrastructurecharges>.

- 33 INFORMATIVE: A surface water drainage verification condition guidance note is available at <https://www.arun.gov.uk/drainage-planning-consultations>, this clearly sets out our requirements for discharging this condition
- 34 INFORMATIVE: The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
- 35 INFORMATIVE: The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.
- 36 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.
- 37 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.
- 38 INFORMATIVE: A Natural England Protected Species License will be required for the works to the existing house and this will need to be obtained prior to any works taking place.
- 39 INFORMATIVE: The applicant's attention is drawn to the requirements of the Environmental Protection Act 1990 and the Clean Air Act 1993 with regard to burning on site. A statutory nuisance may be caused by smoke and ash from fires or noise from the cutting or chipping trees. In addition, air quality could be adversely affected on large projects. The granting of this planning permission does not permit a statutory nuisance to be caused. The Environment Agency should also be contacted regarding Exemption Permits to burn on site.
- 40 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 737555.
- 41 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 09/11/21) as available on the Councils website.