

Recommendation Report for Planning Permission

REF NO: Y/177/21/PL

LOCATION: Bonhams Field
Main Road
Yapton
BN18 0DX

PROPOSAL: Variation of condition following grant of Y/63/19/RES relating to Condition 1 - approved plans (the siting of an electricity sub-station and relocation of two car parking spaces). This application may affect the character & appearance of the Yapton (Main Rd) Conservation Area and may affect the setting of Listed Buildings.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The purpose of this application is to agree revisions to the approved scheme to site a new electricity substation in a rear parking court (east of plot 35) where two parking spaces were proposed and to relocate these parking spaces adjacent to plot 41 (to the immediate south west). The substation will have a standard design and will be delivered by the relevant statutory undertaker. It will comprise of electrical plant housed within a cabinet of a volume that will not exceed 29 cubic metres.
SITE AREA	3.2 hectares.
TOPOGRAPHY	Predominantly flat, but rises gently in a north/north-easterly direction from Yapton Road.
TREES	No trees affected but the substation does back onto an important hedgerow running across the site.
SITE CHARACTERISTICS	Current building site associated with the implementation of the planning permissions.
CHARACTER OF LOCALITY	The site is in the settlement boundary of Yapton village. To the east on the corner of North End Road, there is the former Olive Branch public house which has been converted to residential use. Properties on the west site of North End Lane back on to the site. The site is set in an area that has an open character with a mix of large properties in large plots and smaller terraced properties located along Main Road. Residential development is located along the length of North End Road to the east, and along either side of Main Road to the south and west of the site. An established hedgerow runs north to south across the site and towards the eastern end. Main Road serves the village and runs south of the site. The wider village is rural in character benefiting GP surgeries and

pharmacy, two churches, a village hall and playing fields, Yapton Church of England Primary School, a pub and a small selection of shops (including post office and local convenience store). Barnham railway station is 2 miles west and a regular bus service serves the village. The site has houses backing onto it along the south eastern, southern and western boundaries.

RELEVANT SITE HISTORY

Y/176/21/PL	Variation of condition following grant of Y/63/19/RES relating to Condition 1 - approved plans (replacement of a proposed brick wall with Iron Parkland boundary railings to match the existing railings along the site boundary). This application may affect the character & appearance of the Yapton (Main Rd) Conservation Area & may affect the setting of Listed Buildings.	
Y/11/21/NMA	Non-material amendment following grant of Y/63/19/RES to increase the number of M4 (2) 'Category 2: Accessible and Adaptable Dwellings' affecting Plots 42 to 47, involving altered internal layouts and a slight increase in the footprint of the plots by 75mm east-west and 250mm north-south.	Approve 25-02-21
Y/99/20/PL	Variation of conditions following Y/1/17/OUT to reword conditions 12, 14 & 16 as set out in the application covering letter in order to allow for the proposed access works to be implemented separately to the rest of the planning permission.	App Cond with S106 08-01-21
Y/63/19/RES	Approval of reserved matters following the grant of Y/1/17/OUT for 56 No. dwellings with associated open space & creation of new access. This application affects the character & appearance of the Yapton (Main Road) Conservation Area & affects the setting of listed buildings.	ApproveConditionally 21-02-20
Y/1/17/OUT	Outline Application with some matters reserved for the erection of 56 No. dwellings with associated open space and creation of new access. This application is a Departure from the Development plan & affects the character & appearance of the Yapton (Main Road) Conservation Area.	App Cond with S106 07-12-17

The site benefits from extant permission (Y/1/17/OUT and Y/63/19/RES) for 56 dwellings with access from Main Road. Y/99/20/PL amended some of the conditions concerned with Y/1/17/OUT whilst Y/11/21/NMA has amended part of the Reserved Matters approval.

Y/176/21/PL is a concurrent application to vary a different part of Y/63/19/RES.

REPRESENTATIONS

Yapton Parish Council (YPC) advise no objection but request inclusion of conditions to (a) ensure that the foundations and substation will not affect the hedge or its root system; and (b) seek a hedge management plan to protect the hedge from damage.

COMMENTS ON REPRESENTATIONS RECEIVED:

The applicant amended the previously approved Tree Protection Plan to show the position of the substation in relation to the hedge and the previously agreed protective fencing. This confirms that the substation is outside of the protection zone and will have no impact. As such, the conditions are not necessary. It is not reasonable to impose a hedge management condition given the substation affects only a circa 3m section of a circa 117m long hedge.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSCC HIGHWAYS - no objection.

ADC ENVIRONMENTAL HEALTH - originally requested a pre-commencement condition to secure an acoustic assessment of the substation but following submission of an assessment states that this is no longer required.

ADC LANDSCAPE - advise no objections to the relocation of the parking spaces to a part of the site previously shown as part wildflower planting/part unmanaged grassland.

ADC CONSERVATION OFFICER - the parking bays would leave a small, landscaped area behind and it is assumed this would remain as part of the open space and not form part of the private curtilage for the nearest house (plot 41). Based on the location and scale of the changes, it is considered they will not cause harm to the the significance of the heritage assets or their setting.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The planted area adjacent to the new parking spaces is shown as separate to 41's garden.

POLICY CONTEXT

Designations applicable to site:

Within the Built Up Area Boundary;

Part within Conservation Area (the very south eastern corner) & part adjacent to Conservation Area;

Area of Special Control of Adverts;
 Tree Preservation Order ref TPO/Y/1/20;
 Adjacent to three Grade II Listed Buildings;
 Lidsey Drainage Catchment Area;
 CIL Zone 2;
 Current & Future Flood Zone 1;
 Part within 1:1000 Surface Water Flooding Area (the very south eastern corner); and
 Grades 1/2 Agricultural Land.

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
HERSP1	HER SP1 The Historic Environment
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
QEDM1	QE DM1 Noise Pollution
QESP1	QE SP1 Quality of the Environment

Yapton neighbourhood plan 2014 Policy E4

Minimising the environmental impact of development

Yapton neighbourhood plan 2014 Policy E8

Conservation Areas

PLANNING POLICY GUIDANCE:

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

SUPPLEMENTARY POLICY GUIDANCE:

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

POLICY COMMENTARY

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

Certain Yapton Neighbourhood Development Plan (YNDP) policies are relevant. Yapton are working on a revised YNDP and are at regulation 16 stage such that it is necessary to refer to the emerging policies (which propose modifications to these policies).

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 the changes would not result in any significant harm to the character of the area, to the amenities of residents, to the safety of the highway or to the nearby heritage assets.

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."

In addition, section 72(1) of the Act states: "In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

The proposal complies with this requirement as the changes will have no material impact on the Conservation Area or the nearby Listed Buildings..

OTHER MATERIAL CONSIDERATIONS

A substation can be delivered under permitted development rights, as set in Schedule 2, Part 15 (Class B) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The only reason therefore for this application is the change in the site layout.

CONCLUSIONS

PRINCIPLE:

The site benefits from an extant permission which has been lawfully commenced. This application seeks to add a substation and relocate two car parking spaces and the affected area is well away from the site boundaries in a roughly central position. Due to this and the nature of the changes proposed, it is only necessary to re-assess the impact on the character & appearance of the site, on nearby heritage assets, on the amenities of future residents and on the existing hedge. There is no need to reassess the parking provision as there is no change to this and no increased demand. This report will determine whether the changes now sought cause additional harm compared to the approved scheme, and if harm is considered to arise, is it sufficient to warrant refusal.

HERITAGE ASSETS:

The site lies partly in the Yapton Conservation Area & partly adjacent to its boundary. It part adjoins the curtilages of three Grade II Listed Buildings (Bonhams Barn, Bonhams Farmhouse & Laburnum Cottages). There are further Grade II Listed Buildings in the area including The Yapton Free Evangelical Church (near the junction of Main Road & North End Road to the south east of the site), The Old Malthouse (opposite the curtilage of Bonhams House) and Stakers Farmhouse (located north east of the site and fronting onto North End Road).

ALP policy HER SP1 states development likely to prejudice heritage assets and their settings will be refused. Policy HER DM1 requires that proposals protect and, where possible, enhance the setting of Listed Buildings. HER DM3 lists criteria for proposals within or affecting the setting of a Conservation Area and those relevant are:

- (a) New buildings and structures should acknowledge the character of their special environment in their layout, form, scale, detailing, use of materials, enclosure and the spaces created between buildings;
- (e) It retains historically significant boundaries, important open spaces and other elements of the area's established pattern of development, character and historic value, including gardens, roadside banks and verges; and
- (f) It does not harm important views into, out of or within the Conservation Area.

YNDP policy E8 requires developments either preserve or enhance the character of Conservation Areas. The NPPF provides guidance on how to determine impacts on heritage assets. Para 194 requires applicants to describe the significance of heritage assets affected, including any contribution made by their setting. Para 195 requires Local Planning Authorities to identify and assess the particular significance of the heritage asset affected by a proposal. The Local Planning Authority must then consider the level of harm associated with the proposal and decide whether there is no harm, 'less than substantial harm' or 'substantial harm'. It is then necessary to counterbalance any harm with the level of public benefits associated with the proposal (as set out in para 202).

The submission does not consider heritage impacts. This was fully considered on Y/63/19/RES and a heritage statement was submitted at that time which was accepted by the Conservation Officer who considered there to be less than substantial harm. This harm was then outweighed by the public benefits of the whole scheme.

The Conservation Officer has assessed this new proposal and states the proposal will not result in any harm to the significance or setting of the nearby heritage assets. As such, there is no need to reassess the application benefits as per para 202.

The proposal accords with ALP policies HER SP1, HER DM1 and HER DM3 in that there is no harm to the setting of the nearby Listed Buildings or Conservation Area and also no harm to the important hedgerow running across the site.

DESIGN & CHARACTER:

ALP policy D DM1 require development to make the best possible use of land by reflecting or improving on the character of the site/surrounding area and demonstrate a high standard of design. The Arun Design Guide is a material consideration. It does not contain any guidance in respect of substations except that Section I sets out a requirement that developments have sufficient electricity supply in order to cope with future demand.

The substation will be in a rear parking court and not be visible in any of the main public street scene views in the development layout. Whilst it will not be a particularly attractive feature, it is necessary to ensure a sufficient electricity supply as required by the Design Guide. It is not possible to landscape it due to it being sited in an area of hardstanding but its rear will be screened by the existing hedge.

The relocated parking spaces will be sited on the main thoroughfare within the layout which is visible from the nearby Listed Buildings. However, the addition of two cars in this streetscene set against a planted backdrop will not be so harmful to the environment as to warrant refusal.

The proposal does not conflict with the relevant development plan policies or the Design Guide in respect of design and character.

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 application is accompanied by an assessment of the noise emanating from the substation and this has been accepted by the Councils Environmental Health Officer with no objections raised. The relocation of the parking spaces will be positive for some of the residential occupiers as their spaces will be closer to the fronts of their dwellings rather than in the rear parking court. There is no conflict with the relevant policies.

IMPACT ON THE HEDGE:

The applicant has demonstrated through a plan that the substation is outside of the previously agreed hedge protection zone. Although the Councils Tree Officer has not commented on the application, it is clear from the plan that there will be no impact on the important hedge. Therefore, there is no conflict with development plan policies (including YNDP policy E4) relating to tree protection or biodiversity.

CONDITIONS:

The original permission has been implemented and some of the previous conditions have been discharged and are now relevant only insofar as they relate to details approved by them. It has therefore been necessary to amend conditions 1, 2, 3, 4, 5, 6 & 9 (either to reference new amended plans, changes previously agreed by Y/11/21/NMA or previous condition approvals). One new condition has been added (18) but this does not require any form of discharge.

SUMMARY:

The scheme as amended will not result in any demonstrable harm to local character, heritage assets, the natural environment or residential amenity. As per the NPPF, para 11(c), development proposals that accord with an up-to-date development plan should be approved without delay. It is therefore recommended that this section 73 planning application be granted subject to the following updated conditions.

HUMAN RIGHTS ACT

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

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

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

RECOMMENDATION

APPROVE CONDITIONALLY

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

18076-S101 Rev A "Location Plan";
 18076-P106 Rev L "Proposed Site Plan (M4(2) & Affordable Housing";
 18076-P102 Rev Z "Proposed Site Plan";
 18076-C101 Rev I "Coloured Site Layout";
 18076-P108 Rev B "Proposed Site Plan (Materials)";
 1410 Rev B "Site Layout - Proposed Levels";
 1001 Rev E "Site Layout Refuse Vehicle Tracking";
 1002 Rev B "Fire Appliance Vehicle Tracking";
 1003 "Road Long Sections";
 18076-P110 Rev B "Plot 1 Proposed Plans & Elevations"
 18076-P132 Rev C "Plot 2 Proposed Plans & Elevations";
 18076-P134 Rev A "Plot 3 Proposed Plans & Elevations";
 18076-P117 Rev B "Plots 4-7 Proposed Plans & Elevations";
 18076-P115 Rev A "Plots 8, 9 & 10 Proposed Plans & Elevations";
 18076-P114 Rev B "Plots 11 & 14 Proposed Plans & Elevations";
 18076-P129 Rev C "Plot 12 Proposed Plans & Elevations";
 18076-P126 Rev B "Plot 13 Proposed Plans & Elevations";
 18076-P131 Rev A "Plots 15 & 25 Proposed Plans & Elevations";
 18076-P113 Rev A "Plots 16, 17 & 18 Proposed Plans & Elevations";
 18076-P135 Rev A "Plot 19 Proposed Plans & Elevations";
 18076-P133 Rev A "Plots 20 & 21 Proposed Plans & Elevations";
 18076-P118 Rev C "Plots 22-24 "Proposed Plans and Elevations";
 18076-P116 Rev B "Plots 26 & 27 Proposed Plans & Elevations";
 18076-P111 Rev C "Plots 28, 29 & 31 (31 handed) Proposed Plans & Elevations";
 18076-P112 Rev B "Plot 30 Proposed Plans & Elevations";
 18076-P130 Rev B "Plot 32 Proposed Plans & Elevations";
 18076-P119 Rev C "Plots 33, 34, 35 Proposed Plans & Elevations";
 18076-P120 Rev C "Plots 36 & 37 Proposed Plans & Elevations";
 18076-P121 Rev C "Plots 38-41 Proposed Plans & Elevations";
 18076-P122 Rev B "Plots 42-47 Proposed Plans";
 -P123 Rev C "Plots 42-47 Proposed Elevations";
 18076-P124 Rev B "Plots 48 to 56 Proposed Plans";
 18076-P125 Rev C "Plots 48-56 Proposed Elevations";
 18076-P128 Rev A "Proposed Double Garage (Plots 26 & 27)";
 18076-P127 "Refuse and Bicycle Store (Plots 6-7)";
 18076-C104 "Coloured Perspective Views";
 18076-C103 Rev D "Coloured Street Elevations";
 18076-C102 Rev E "Coloured Street Elevations";
 2076-TF-00-00-DR-L-3001 Rev P12 "Planting Plan";

2076-TF-00-00-DR-L-1001 Rev P14 "Landscape General Arrangement"; and
Schedule of Accommodation Rev H.

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 DM3, QE SP1 and T SP1 of the Arun Local Plan.

- 2 All activity at the site is to be carried out in strict accordance with the following documents by ACD Environmental:

the "Arboricultural Impact Assessment and Method Statement" (ref: SEA20727aia-ams, Rev: B, 21.02.20);

the "Tree Report" (ref: SEA20727tr, Rev: A, 12/12/19); and

the "Tree Reference Plan" ref SEA20727-03 Rev J (01/02/22).

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 ENV DM4 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area.

- 3 The area hatched in red on drawing 18076-P102 Rev Z "Proposed Site Plan" shall be safeguarded as a potential future public footpath link onto the adjoining private access track. If at such time as a footpath is provided from the adjacent Stakers Farm site (ref Y/44/17/OUT or subsequent planning permission) onto the access track, then the developer shall submit to the Local Planning Authority for approval in writing, plans and details of a footpath link and the footpath link shall then be implemented within 3 months of the approval of the details and thereafter permanently retained.

Reason: To provide an alternative footpath link through the development in accordance with Arun Local Plan policies T SP1 & T DM1 and with section 9 of the NPPF.

- 4 The development shall proceed in full accordance with the materials approved through application ref Y/9/22/DOC on 14/02/22 and these details shall be permanently retained.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and the setting of nearby heritage assets by endeavouring to achieve buildings of visual quality in accordance with policies D DM1, D SP1, HER DM1 and HER DM3 of the Arun Local Plan.

- 5 The development shall proceed in full accordance with the front openings, windows and doors for plots 2-7, 19-21 & 36-41 and the front & right hand side openings, windows & doors for plot 1 as approved through application ref Y/97/21/DOC on 06/09/21 and these details shall be permanently retained.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and the setting of the adjacent Listed Buildings by endeavouring to achieve buildings of visual quality in accordance with ALP policies D DM1 & HER DM1 and the National Planning Policy Framework.

- 6 The development shall proceed in full accordance with the boundary treatments approved through application ref Y/103/21/DOC on 06/09/21 and no dwellings shall be occupied until such hard boundary treatments associated with them have been erected.
- Reason: In the interests of amenity in accordance with policy D DM1 of the Arun Local Plan.
- 7 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 & sound arboricultural practice and policy ENV DM4 of the Arun Local Plan.
- 8 Prior to the occupation 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 permanently retained and maintained in good working condition.
- Reason: New petrol, diesel and hybrid cars/vans will not be sold beyond 2035, 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 Parking Standards SPD and the National Planning Policy Framework.
- 9 The development shall proceed in full accordance with the energy minimisation approach as approved through application ref Y/99/21/DOC on 02/09/21 and the approved measures shall be retained as operational thereafter.
- Reason: In order to secure on site renewable energy in accordance with national planning policy and in accordance with policy ECC SP2 of the Arun Local Plan.
- 10 The garages and 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.
- 11 Notwithstanding the provisions of Schedule 2, Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting this Order) no hardstanding (other than that specified on the approved plans) shall be created on land forward of the principal or side elevations of plots 1-5, 19-21 & 36-41, unless permission is granted by the Local Planning Authority on an application in that behalf.
- Reason: In the interests of visual amenity and historic character in accordance with policies D DM1, D SP1, HER DM1 and HER DM3 of the Arun Local Plan.
- 12 Notwithstanding the provisions of Schedule 2, Part 2, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or

re-enacting this Order) no fences, walls, gates or other means of enclosure (other than those specified on the approved plans) shall be erected on land forward of the primary or side elevations of plots 1-7, 19-21 & 36-41, unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: In the interests of visual amenity and historic character in accordance with policies D DM1, D SP1, HER DM1 and HER DM3 of the Arun Local Plan.

- 13 All bathroom and toilet windows in the elevations of any of the buildings 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.

- 14 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.

- 15 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 front extensions or roof extensions/alterations to any of the dwelling houses shall be constructed unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy & amenity of adjoining occupiers and the cohesive appearance of the development in accordance with policies D DM1 and D SP1 of the Arun Local Plan.

- 16 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 5, 18, 22, 38-41, 46-49, 54-56 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 safeguard the amenity of adjoining occupiers, maintain adequate private amenity space and safeguard the cohesive appearance of the development in accordance with policies D DM1 and D SP1 of the Arun Local Plan.

- 17 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.

- 18 The electricity substation equipment shall be maintained in a condition so that it complies with the levels and mitigation measures specified in the approved 'Assessment of Substation Noise' report (v1, 02/02/22), whenever it is operating. After installation of the approved plant, no new plant shall be used without the written consent of the Local Planning Authority.

Reason: To protect the amenity of local residents in accordance with Policy QE DM1 of the Arun Local Plan.

- 19 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.

- 20 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 12/09/19) as available on the Councils website.
- 21 INFORMATIVE: The applicant should note that this layout was approved without the requested winter monitoring groundwater data 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.