

**Recommendation Report for Planning Permission**

**REF NO:** Y/22/14/

**LOCATION:** Land at Kings Close  
Yapton

**PROPOSAL:** Outline Application with some matters reserved for a proposed residential development of site with 1 x 4 bedroom house, 13 x 3 bedroom houses 3 x 2 bedroom houses & 1 x 2 bedroom flat over garages, incorporating parking & access to main road, via a redefined alignment of Kings Close & Highway improvement works at existing crossover.

**SITE AND SURROUNDINGS**

**DESCRIPTION OF APPLICATION**

This is an outline application to consider access and layout only for 17 houses and 1 flat (over garages) with access from Main Road via Kings Close. The proposal combines two previous outline approvals (Y/70/09 & Y/59/11) with the exception of the omission of a small parcel of land to the immediate east of the Co-op store fronting onto Main Road (which was part of Y/70/09).

The proposal includes alterations & improvements to the existing access and also provides for access through the site to the rear of Merry Meats and to existing dwellings to the rear of the site. 35 parking spaces are proposed including garage/car port spaces.

**SITE AREA**

0.486 hectares.

**RESIDENTIAL DEVELOPMENT DENSITY (NET)** 37 dwellings per hectare.

**TOPOGRAPHY**

Predominantly flat but with a depression in the south west corner adjacent to Kingsmead (this dwelling is slightly lower than the application site) and a slight dip along the western boundary. There are also several overgrown piles of earth/rubble.

**TREES**

There is a large Willow tree overhanging the boundary in the southwest corner but there are not considered to be any trees of significance which are affected by the proposed development.

**BOUNDARY TREATMENT**

Mix of 1.8m high hedging, wall or timber fence.

**SITE CHARACTERISTICS**

This is a piece of vacant land to the rear of shops fronting onto Main Road. The site is accessed from Main Road via Kings Close, an unmade road servicing Kingswood and Kingshaven and land to rear of the shops. The site is part overgrown grassland and part hard surfacing.

**CHARACTER OF LOCALITY**

Mixed residential and commercial. The site is to the rear of the Yapton local shopping centre and surrounded on all other sides from residential dwellings or gardens.

**RELEVANT SITE HISTORY**

|            |                                                                                                                                                                                                                                                                                                                                         |                                                                                          |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| Y/41/02/   | Outline application for residential development.                                                                                                                                                                                                                                                                                        | Refused<br>23-07-2002 <i>Appealed</i><br><br><b>Appeal: Allowed</b><br><b>18 07 2003</b> |
| Y/74/04/   | Approval of Reserved Matters following outline application Y/41/02 for residential development of ten houses with garaging and parking spaces                                                                                                                                                                                           | ApproveConditionally<br>16-02-2005                                                       |
| Y/70/09/   | Outline application for demolition of existing industrial units and redevelopment of the site with 5X3 bedroom 2.5 storey houses and 1X4 4 bedroom 2 storey detached houses and small commercial/retail unit with 2 bed apartment over and access to Main Road via Kings Close                                                          | ApproveConditionally<br>31-03-2010                                                       |
| Y/59/11/   | Application for Outline Planning Permission with some matters reserved for proposed residential development comprising 8 no. 3 bed houses, 3 no. 2 bed houses & 1 no. 2 bed flat over garages incorporating car ports & access to Main Road via a re-defined alignment of Kings Close & highway improvement works at existing crossover | Approved Cond + S106<br>29-03-2012                                                       |
| Y/31/14/PL | Erection of detached building comprising two flats.                                                                                                                                                                                                                                                                                     | ApproveConditionally<br>02-07-2014                                                       |

The proposal encompasses two previous outline approvals, one of which (Y/59/11/) is still valid and expires at the end of March 2015. Y/59/11 concerns the rear part of the site and allowed outline consent for 12 dwellings (8 x 3 bed houses, 3 x 2 bed houses & 1 x 2 bed flat over garages). Y/70/09 expired at the end of March 2013 and had granted consent for 7 dwellings (5 x 3 bedroom houses, 1 x 4 bedroom house and a small commercial/retail unit with a 2 bed

apartment over).

There is therefore recent planning history for 19 dwellings made up of:

1 x 4 bed house;  
13 x 3 bed houses;  
3 x 2 bed houses; and  
2 x 2 bed flat.

With the exception of the 2 bedroom flat over the retail unit which no longer forms part of the scheme, the current proposal is for the same number and size of dwellings as previously applied for.

It should be noted that the conditions & informatives proposed for this application (Y/22/14) include some which were attached to the previous planning approvals.

More recently, in July 2014, permission was granted for two flats within a detached two storey building at the back of Merry Meats. This is outside of the application site but immediately adjacent to it. However, care was taken on this application to ensure that new windows would not result in privacy issues with those dwellings previously approved on the Kings Close site.

## **REPRESENTATIONS**

### **Representations received:**

Yapton Parish Council

Yapton Parish Council - "Whilst the Parish Council has no objection in principle to this application, the Planning Committee has concerns about pedestrian safety immediately adjacent to the entrance to Kings Close caused by the illegal pavement parking which frequently occurs outside the Co-op Store. The Planning Committee asks that if possible this highway safety issue should be addressed as part of the conditions assuming the LPA is minded to approve the application."

### **Comments on Representations received:**

It is understood that WSCC Highways are proposing to reinstall bollards to prevent parking in this location (which is outside of the application site) but that the Parish were concerned that in the past, this was not much of a deterrent and have said they would prefer the pavement/kerb to be raised.

WSCC responded to say that: "I agree that a kerb wont discourage parking. I was wondering how the co-op is serviced and if this dropped kerb is used by them for this purpose anyway, its not ideal but I don't think cars parking here will obstruct visibility completely, or cause any unsafe practice especially as the obstacle is in the leading direction."

It is also considered that raising the kerb height to the height elsewhere in the street wouldn't stop people parking there as the local kerb height would still allow cars to drive up it. Furthermore, that a much higher kerb height would look out of place and not be suitable for pedestrians. An email was sent to the Parish Clerk on 23/04/14 setting out this response. No response was received.

## **CONSULTATIONS**

WSCC Strategic Planning  
Parks and Landscapes  
Environmental Health

Southern Water Planning  
Planning Solicitor  
Economic Regeneration  
Arboriculturist  
Planning and Housing Strategy

**Consultations responses received:**

Southern Water - request an informative regarding future connections to the public sewer.

WSCC Ecology - "There is no ecological objection to the principle of development on this site subject to the imposition of suitably worded conditions. On the subject of whether there is enough ecological information to allow a suitable determination I am satisfied that there is. The recommendation for additional reptile surveys can legitimately pass to the detailed application. The Reserved Matters application must be supported by a reptile survey and appropriate mitigation designed." Conditions are recommended regarding detailed reptile surveys, the need for an ecological enhancement scheme and removal of trees outside of the breeding season.

WSCC Highways - Initial response stated no objection subject to more information regarding the proposed shared surface & pedestrian priority zones, a swept path analysis and a road safety audit (due to the intensification of the access). These additional items have been received and amendments made to the plans. Subsequent comments stated that:

"Stage 1 Road Safety Audit and Designers response:

The road safety audit has raised two problems. The first relates to the lack of loading/unloading facilities for the existing co-op store adjacent to the site. The auditor recommends these are reviewed and the designer has replied to this by acknowledging the problem and proposes to maintain the "keep clear" carriageway markings to deter HGV's parking on the carriageway in the immediate vicinity of the junction as per revised drawing 13020-03REVB. The second problem relates to the lack of definition of the service margin and if the footway surface is level to the Kings Close shared use area; or if it is level to the public highway footway. The level differences have been acknowledged by the designer and the auditor's recommendations accepted. That is to provide a raised walkway/service margin. There will be visual distinction between the proposed walkway, shared surface and other carriageway surfaces, and these will be provided to standards of the inclusive mobility unit to assist blind people. This will be checked at the Stage 2 road safety audit.

**Swept Path Diagrams**

The diagrams have been provided for a 3 axle large refuse vehicle (238-01A). WSCC are satisfied a vehicle of this size can enter turn and exit the site in forward gear.

**Amendments to Internal Layout**

Drawing 13020-03REVB has changed the shared use kerb edging to 40mm in line with current standards,"

Several conditions are recommended.

Arun DC Greenspace - Request contributions of £18,000 for off-site open space and £18,000 for off-site children's play facilities. With regard to Landscape, it was recommended that a landscape scheme and a Landscape Visual Impact Assessment be submitted.

Arun DC Arboricultural Officer - no comments received.

Arun DC Environmental Health - request the imposition of conditions ENV3, ENV5 and ENV6.

**Comments on Consultation responses:**

Comments noted and conditions/informatives included within the recommendation.

Arun Drainage Engineers were not consulted but there were conditions attached to Y/59/11 which relate to surface water drainage. These have been included within the recommendation for this application.

With respect to ADC Greenspace comments, it was not considered possible to request a landscaping scheme as the application is in outline with landscaping matters a reserved matter. Furthermore, it was not considered that this urban site was an appropriate location for a Landscape Visual Assessment let alone a Landscape Visual Impact Assessment (the LVIA being the more onerous of the two). It was also noted that neither of the two previous outline applications on the site were subject to an LVIA.

The Councils Tree Officer was consulted but did not issue a response. It is noted that the decision for application Y/59/11 included an informative on the protection of neighbouring trees and this has been replicated within the recommendation section.

**POLICY CONTEXT**

Designations applicable to site:

Within Built-Up Area Boundary;  
No Public Sewer; and  
PD Restriction.

**DEVELOPMENT PLAN POLICIES**

|                                |                       |                                                       |
|--------------------------------|-----------------------|-------------------------------------------------------|
| Arun District Local Plan 2003: | <a href="#">DEV17</a> | Affordable Housing                                    |
|                                | <a href="#">GEN2</a>  | Built-up Area Boundary                                |
|                                | <a href="#">GEN5</a>  | Provision of New Residential Development              |
|                                | <a href="#">GEN7</a>  | The Form of New Development                           |
|                                | <a href="#">GEN9</a>  | Foul and Surface Water Drainage                       |
|                                | <a href="#">GEN12</a> | Parking in New Development                            |
|                                | <a href="#">GEN20</a> | Provision of Public Open Space within New Development |

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

D DM1 Aspects of Form and Design Quality  
D DM2 Internal Space Standards  
D DM3 External Space Standards  
D SP1 Design  
ECC SP2 Energy and Climate Change Mitigation  
ENV DM4 Protection of Trees  
ENV DM5 Development and Biodiversity  
H SP2 Affordable Housing  
OSR DM1 Open Space, Sport and Recreation  
QE DM4 Contaminated Land  
SD SP2 Built-Up Area Boundary  
T SP1 Transport and Development  
W DM3 Sustainable Urban Drainage Systems

[Yapton neighbourhood plan 2014 Policy BB1](#)  
[Yapton neighbourhood plan 2014 Policy E3](#)  
[Yapton neighbourhood plan 2014 Policy H1](#)  
[Yapton neighbourhood plan 2014 Policy H2](#)  
[Yapton neighbourhood plan 2014 Policy H3](#)

[Yapton neighbourhood plan 2014 Policy PK1](#)

Built-up Area Boundary  
Protection of natural habitats  
Housing requirement  
Dwelling size  
Dwellings appropriate for the needs of older people  
Parking standards for new residential development

## PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

## SUPPLEMENTARY POLICY GUIDANCE

SPD1

Open Space & Recreation Standards

## POLICY COMMENTARY

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

Arun District Council's Development Plans:

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

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

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

Made Plans in Arun District Council's Local Planning Authority Area are: Arundel; Barnham &

Eastergate; Felpham; Yapton; Littlehampton; and Bersted.

#### **DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

#### **OTHER MATERIAL CONSIDERATIONS**

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

#### **CONCLUSIONS**

##### **THE PROPOSAL & PRINCIPLE**

As set out above, it is proposed to develop the site with 18 dwellings together with access improvements and associated parking. A mix of dwelling sizes is proposed comprising of 1 x 4 bed house; 13 x 3 bed houses; 3 x 2 bed houses; and 1 x 2 bed flat.

There are two aspects to the case for the principle of development. Firstly that half of the scheme already benefits from an extant outline consent and the other half was previously granted permission in 2010 (but has now expired). Secondly, that the site lies in an urban area where the principle of development is considered to be acceptable. The National Planning Policy Framework (NPPF) supports the effective and efficient use of land for sites such as this but also advises that new housing is well integrated with and complements neighbouring buildings and the local area in terms of scale, density, layout and access. It is therefore considered that the principle of the development is acceptable.

##### **SITE LAYOUT/DESIGN**

The NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people. Central Government Advice further indicates that more intensive development is not always appropriate and that design which is inappropriate in its context should not be accepted. Furthermore new development should be well integrated with and complement the local area in terms of for example, layout.

Both of the previous halves of the site had been designed to complement each other and to ensure a seamless layout and there is no change to the layout from the two previous approvals. Although scale & appearance are reserved matters, the applicant has submitted indicative street scenes. These show that the proposed new dwellings will be attractively designed in a mix of render & brick but will be higher than the surrounding dwellings. However, there is good

separation between the proposed and existing neighbouring dwellings. Furthermore, these designs previously formed part of the Y/70/09 & Y/59/11 submissions and were considered acceptable by officers at that time.

The proposed layout indicates that a tree on an adjacent site overhangs the rear garden of plot 8. This is not shown to be removed and it is considered that the use of BS5837 "Trees in relation to Construction" will ensure that this tree is protected.

Yapton Neighbourhood Plan Policy H2 requires that developments of 15 or more dwellings should provide a mix of dwelling sizes falling within the following ranges:

- \* 1-bed dwellings: 10-15% of all dwellings;
- \* 2-bed dwellings: 25-35% of all dwellings;
- \* 3-bed dwellings: 45-55% of all dwellings; and
- \* 4+-bed dwellings: 5-10% of all dwellings.

The proposal is for the following mix:

- \* 1 x 4 bed dwellings - 6%;
- \* 13 x 3 bed dwellings - 72%; and
- \* 4 x 2 bed dwellings - 22%.

Although the % of 3 bed dwellings is some 17% higher than the range within the policy, this is considered to be acceptable given the previous approvals and the site. It is also noted that Yapton Parish Council did not make any objection regarding this Policy.

In addition, Policy H3 requires that in respect of developments of 5 or more dwellings, 25% of the 1, 2 & 3 bed homes must be to lifetime standard. However, as the application is in outline with appearance & scale as reserved matters, this policy cannot be assessed at the current time. An informative will be added to ensure that the applicants are aware of the need to comply with this policy at the reserved matters stage.

## RESIDENTIAL AMENITY

Arun District local Plan Policy GEN7 indicates that development will only be permitted if it takes into account the impact on adjoining occupiers, land, use or property.

The indicative elevations of the proposed scheme were previously amended to delete the dormers overlooking the neighbouring properties Kingswood and April Cottage. In addition, the impact on the amount of sunlight/daylight enjoyed by the rear garden of Kingswood will not be unacceptable given that it is some 13m (eaves height) - 18m (ridge height) from the nearest proposed 2.5 storey property.

There were no issues raised with regard to residential amenity within the previous two applications and there have been no changes to the scheme since the approvals of those two schemes. It is also noted that no objections have been received from any local residents

## HIGHWAYS AND PARKING

Government planning policy is to encourage appropriate development in locations that will enable a reduction in the need to travel, particularly by private car and that planning should contribute to reducing emissions and climate change.

It is considered that the site is located in a sustainable location having regard to the proximity to essential shops & services within the village centre and the availability & close proximity of public transport (buses). The roads within the village are also suitable for use by cyclists. Notwithstanding the sustainability of the site, a number of parking spaces are proposed. The West Sussex Parking Demand Calculator indicates that based on the proposed parking provision, the recommended number of spaces is 28 with an additional 10 visitor parking spaces. WSCC have stated that they have no concerns with the 3 space shortfall.

According to Policy PK1 within the Yapton Neighbourhood Plan, the parking requirement would be 37 spaces and although the proposal is two short, given the sustainable nature of the site. the planning history and the lack of any objection from WSCC Highways or the Parish Council, it is considered that the proposals are acceptable.

Highway improvements to the access of Kings Close onto Main Road are proposed and these have been slightly amended from the previously approved design. County Highways have raised no concerns regarding the improvement works and are also happy with the access arrangements for large vehicles.

#### **INTERNAL & EXTERNAL SPACE STANDARDS (Policies DM2 & D DM3)**

The proposed scheme includes houses and gardens which do not comply with the Councils new internal and external space standards. This is understandable given that the scheme was prepared prior to the introduction of these standards. Although there is a shortfall, it is considered that the planning history (half of the site being subject to an extant consent) and the location (within easy walking distance of a large park) combine to provide the justification for reducing the standards.

#### **SUMMARY**

This planning application combines two previous outline consents, one of which is still valid. There were no previous concerns with either of the two previous schemes and it is not considered that the policy framework has changed significantly enough to warrant a change to the previous decisions. It is acknowledged that there is a shortfall in the space standards policies but the site is located within easy walking distance of a community centre and a public park and this is considered to justify a reduction in the standards. It is also clear that the proposals broadly comply with the new Neighbourhood Plan. It is recommended that the application is approved subject to the following conditions.

#### **HUMAN RIGHTS ACT**

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

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

#### **DUTY UNDER THE EQUALITIES ACT 2010**

Duty under the Equalities Act 2010

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

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

#### **SECTION 106 DETAILS**

This recommendation is subject to a signed and completed Section 106 legal agreement relating to the following provisions:

Affordable Housing - provision of 5 Affordable Housing Units consisting of 4 x affordable rent dwellings & 1 x Shared Ownership dwelling;  
Fire & Rescue - £494 & 1 x Fire Hydrant;  
Libraries - £4,480; and  
Childrens Play/Open Space - £36,000.

#### **RECOMMENDATION**

##### **APPROVE CONDITIONALLY SUBJECT TO A SECTION 106 AGREEMENT**

- 1 The permission hereby granted is an outline permission under Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 and an application for the approval of the Local Planning Authority to the following matters must be made not later than the expiration of 3 years beginning with the date of this permission:-

- (a) Scale;
- (b) Appearance;
- (c) Landscaping.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

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

SITE LOCATION PLAN DWG 13020-LOC;  
PROPOSED OUTLINE PLANNING SITE LAYOUT DWG 13020-01 REVB;  
PROPOSED ACCESS IMPROVEMENTS DWG 13020-02 REVB;  
PROPOSED ACCESS AND PARKING LAYOUT PLAN DWG 13020-03 REVB;  
INDICATIVE STREET SCENES SHEET 2 DWG 13020-11;  
INDICATIVE STREET SCENES SHEET 1 DWG 13020-10;  
SWEPT PATH ANALYSIS OF A LARGE REFUSE VEHICLE DWG 238-01 REV A (SUPPLEMENTARY);  
STAGE 1 ROAD SAFETY AUDIT DESIGN RESPONSE JUNE 2014 (SUPPLEMENTARY);  
ROAD SAFETY AUDIT STAGE 1 JUNE 2014 INCLUDING APPENDIX A & B (SUPPLEMENTARY); and  
RESPONSE REPORT-ROAD SAFETY AUDIT STAGE 1 JUNE 2014 (SUPPLEMENTARY).

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

- 4 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 approved drawing 13020-03REVB.

Reason: In the interests of road safety and in accordance with policy GEN7 of the Arun District Local Plan.

- 5 No part of the development shall be first occupied until provision has been made within the site in accordance with plans and details to be submitted to and approved by the Local Planning Authority to prevent surface water draining onto the public highway. The approved details shall be retained in perpetuity in good working order.

Reason: In the interests of road safety and in accordance with policy GEN7 of the Arun District Local Plan.

- 6 No part of the development shall be first occupied until visibility splays of 2.4 metres by 73 metres to the west and 2.4 metres by 63.5metres to the right have been provided at the proposed site vehicular access onto Main Road in accordance with the approved planning drawing 13020-03REVB. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety and in accordance with policy GEN7 of the Arun District Local Plan.

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

Reason: To provide car-parking space for the use in accordance with policy GEN7 of the Arun District Local Plan.

- 8 The garage buildings shall be used only as private domestic garages for the parking of vehicles incidental to the use of the properties as dwellings and for no other purposes.

Reason: To ensure adequate off-street provision of parking in the interests of amenity and highway safety and in accordance with policy GEN7 of the Arun District Local Plan.

- 9 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 approved cycle parking spaces shall be retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with policy GEN7 of the Arun District Local Plan and the National Planning Policy Framework.

- 10 No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development and in accordance with policy GEN7 of the Arun District Local Plan.

- 11 No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- the anticipated number, frequency and types of vehicles used during construction;
- the method of access and routing of vehicles during construction;
- the parking of vehicles by site operatives and visitors;
- the loading and unloading of plant, materials and waste;
- the storage of plant and materials used in construction of the development;
- the erection and maintenance of security hoarding;
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders); and
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area and in accordance with policy GEN7 of the Arun District Local Plan.

- 12 No development or preparatory works affecting the site shall be carried out until a reptile survey has been undertaken identifying detrimental impact and should it be necessary, also providing full details of mitigation. These details will then be submitted to the Local Planning Authority for approval. Mitigation shall then be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the local planning authority.

Reason: In accordance with the National Planning Policy Framework (Paragraphs 109 & 118).

- 13 To avoid risk of harm to potentially nesting birds, removal of any trees and/or shrubs should be undertaken between September and the end of February when birds have ceased nesting (except those trees identified as having bat roost potential in Figure 2 in Appendix 1 of the Ecological Assessment prepared by Adonis Ecology). If this is not possible, and some trees or shrubs are due to be removed between March and August, an Ecologist should check for active bird nests no more than seven days before works commence on removal of trees or hedgerows, and any active nest found should be protected as advised by the Ecologist until the birds have finished nesting.

Reason: In accordance with the National Planning Policy Framework (Paragraphs 109 & 118).

- 14 Prior to the commencement of development or any preparatory works and to support the Reserved Matters application an ecological enhancement scheme shall be submitted to the LPA for approval; it will pick up all recommendations arising out of the supporting ecological reports as appropriate. All approved details shall then be implemented in full and in accordance with the agreed timings and details.

Reason: In accordance with the National Planning Policy Framework (Paragraph 118).

- 15 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:

- \* all previous uses;
- \* potential contaminants associated with those uses;
- \* a conceptual model of the site indicating sources, pathways and receptors; and
- \* potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

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 District Local Plan policy GEN7.

- 16 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

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 District Plan policy GEN7.

- 17 Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the remediated site has been reclaimed in an appropriate standard in accordance with Arun District Local Plan policy GEN7.

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

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

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

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

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

- 19 No development or new tree planting should be located within 3 metres either side of the centreline of a public sewer and any new soakaways should not be located within 5m of a public sewer. All existing infrastructure should be protected during the course of construction works.

Reason: To protect the public sewer in accordance with Arun District Local Plan policies

GEN7 and GEN9.

- 20      INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.
- 21      INFORMATIVE: The applicant is advised to enter into a legal agreement with 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.
- 22      INFORMATIVE: The applicant is advised that as the estate roads are to remain private/unadopted, the Highway Authority would require provisions in any s106 agreement to confirm that the estate roads would not be offered for adoption at a later date and wording included to ensure that the carriageways, footways and casual parking are properly constructed, surfaced and drained, and that the works are appropriately certified from a suitably qualified professional confirming the construction standard.
- 23      INFORMATIVE: The applicant is advised that any future reserved matters application must accord with the indicative details/plans submitted as part of this application.
- 24      INFORMATIVE: The protection of neighbouring trees to the development should be made in accordance with BS5837 Trees in Relation to Construction.
- 25      INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact: Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, S021 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).
- 26      INFORMATIVE: Please have regard to the Yapton Neighbourhood Plan when preparing your reserved matters application, In particular, Policy H3 states that: "In order to provide for the needs of older people in Yapton, developments of five or more dwellings must ensure that a minimum of 25% of the 1-, 2- and 3-bed dwellings provided are delivered to Lifetime Homes standards."
- 27      INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to the following provisions:
- Affordable Housing - provision of 5 Affordable Housing Units consisting of 4 x affordable rent dwellings & 1 x Shared Ownership dwelling;  
Fire & Rescue - £494 & 1 x Fire Hydrant;  
Libraries - £4,480; and  
Childrens Play/Open Space - £36,000.