

Recommendation Report for Approval of Reserved Matters Following Outline Approval

**REF NO:** Y/39/20/RES

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

**PROPOSAL:** Approval of reserved matters following outline consent Y/49/17/OUT & Section 73 permission Y/13/18/PL for 45 No. dwellings & associated works. This application may affect the setting of a Listed Building.

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| <b>SITE AND SURROUNDINGS</b> |
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**DESCRIPTION OF APPLICATION**

The application seeks reserved matters approval for 45 dwellings with associated parking, road/footway provision, landscaping and ancillary works. Approval of scale, layout, external appearance and landscaping are sought. Access was approved on Y/49/17/OUT as varied by Y/13/18/PL.

The scheme includes 6 x 1 bed maisonettes, 12 x 2 bed houses, 23 x 3 bed houses and 4 x 4 bed houses. Eighteen of the dwellings will be affordable, either rented or shared ownership. These are all grouped along the north eastern edge and includes the 6 maisonettes. The Oxford Lifestyle, Tavy and Ground Floor A1/A2 units (17 dwellings) are built to be compliant with M4(2) of Building Regulations as per the requirements of condition 17 of the Outline (as amended) therefore being accessible and adaptable to future requirements.

Each house has at least 2 parking spaces and 25 have a detached/integral garage. Some larger houses have extra spaces or double garages. There will be 9 visitor spaces. Cycle parking is not indicated so will need to be agreed by condition.

Buildings will be no higher than two storeys with no roof accommodation shown. Materials are described on the Materials Plan (013 Rev G) and include brick, render, timber boarding, hanging tile and roof tiles. It is proposed to have 1.8m high brick walls in the layout where gardens adjoin public spaces. Boundaries between gardens (and to garden rears) have 1.8m high timber fencing. Flint walling along the North End Road frontage is to be retained.

Bin storage spaces will be in gardens and two communal bin stores are shown for plots 10-19 & 26-29. There are no

details of the former but condition 16 of the Outline (as amended) requires a separate approval of these details. The bin store plans are within the house brochure plans.

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

The layout includes two areas of public open space (POS). Firstly, a small (approx. 296m<sup>2</sup>) square area between the road access into the site and the front of plot 1. Secondly, a larger area between North End Road and plots 23-31 and which includes a Local Area for Play (LAP). The total POS provision is 0.31 hectares. An underground foul water pumping station will be located in the POS but occupies only a very small area being as it is underground.

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

|                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| SITE AREA                       | 1.87 hectares including existing access on to Maypole Lane.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| RESIDENTIAL DEVELOPMENT DENSITY | 32 dwellings per hectare.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| TOPOGRAPHY                      | Predominantly flat.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| TREES                           | All boundary hedges & trees are to be retained/enhanced except where recommended for removal as set out in the Arboricultural Report which accompanied planning application Y/49/17/OUT.                                                                                                                                                                                                                                                                                                                                                                                                                   |
| BOUNDARY TREATMENT              | The site has hedgerows along the boundaries. Within these are low post & wire or post & rail fences.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| SITE CHARACTERISTICS            | Horse paddock formerly used as agricultural land before the equestrian use. There is a stables complex fronting North End Road and a few small sheds elsewhere on the site.                                                                                                                                                                                                                                                                                                                                                                                                                                |
| CHARACTER OF LOCALITY           | Rural in character and located north of Yapton Village. The site is bounded to the north by an open field and beyond by Maypole Lane, residential properties at 'Longacre', 'The Paddocks' and the Maypole Inn. The site is bounded to the south by land used for the stabling and grazing of horses and on which outline permission has been granted for 33 dwellings (Y/83/19/OUT). To the west, there is open farmland. To the east the site is bounded by housing including Baytree Cottage, Park Cottages, Yapton Lodge (locally listed) and The Old Cottage (Grade II Listed) and by North End Road. |

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| RELEVANT SITE HISTORY |
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| Y/56/20/DOC  | Approval of details reserved by condition imposed under ref Y/13/18/PL relating to Condition Nos 9 - highway works and 11 - archaeological.                                                                                                                                                                                                                                                                               | DOC Approved<br>27-07-20         |
| Y/54/20/DOC  | Approval of details reserved by condition imposed under ref Y/13/18/PL relating to Condition No 12 - drainage scheme.                                                                                                                                                                                                                                                                                                     | Refused<br>21-08-20              |
| Y/123/19/DOC | Approval of details reserved by condition imposed under ref Y/49/17/OUT relating to Condition No 11 0 archaeological                                                                                                                                                                                                                                                                                                      | DOC Approved<br>21-01-20         |
| Y/103/19/DOC | Approval of details reserved by condition imposed under reference Y/49/17/OUT relating to Condition No 9 - highways works.                                                                                                                                                                                                                                                                                                | DOC Approved<br>04-12-19         |
| Y/96/19/DOC  | Approval of details reserved by condition imposed under ref Y/13/18/PL relating to Condition No 11 - archaeological.                                                                                                                                                                                                                                                                                                      | DOC Approved<br>15-11-19         |
| Y/13/18/PL   | Variation of condition 3-approved plans & removal of conditions 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 & 27 following the grant of Y/49/17/OUT.                                                                                                                                                                                                                                                | ApproveConditionally<br>29-06-18 |
| Y/49/17/OUT  | Outline application with some matters reserved for the demolition of all existing structures & redevelopment of the site with up to 45 dwellings (30% affordable (up to 14)) & 0.3 hectares of landscaped open space with vehicular access from Maypole Lane & pedestrian/cycle access only from North End Road. This application is a Departure from the Development Plan & may affect the setting of a listed building. | App Cond with S106<br>15-02-18   |

Outline consent was granted under Y/49/17/OUT with details of the access. Y/13/18/PL sought to vary condition 3 and delete many of the other conditions. It was agreed condition 3 be varied to include a

reference to all of the plans that were submitted with the outline planning application. Changes were agreed to conditions 13 & 25. Condition 16 was agreed to be removed however all other conditions were retained in full contrary to the terms of the application.

Pre-application advice on this scheme was given in September 2019. It was concluded that subject to changes being made to housing mix, consideration given to relocating the smaller POS and subject to a more thorough assessment of detailed matters and design elements, it may be possible to support the application.

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| <b>REPRESENTATIONS</b> |
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**REPRESENTATIONS RECEIVED:**

Yapton Parish Council

State that are broadly supportive of the scheme subject to consideration of the following points:

- (1) Request that the ridge height of the proposed units closest to the existing buildings reflect the historic streetscape;
- (2) Garages must be restricted so as to prevent conversion without a planning application;
- (3) Seek a mixture of planting to include height along the rear elevation of the Bromsgrove unit (24-28) to soften and screen it;
- (4) Prefer the LAP to be located centrally
- (5) Street lighting must respect the dark nights in this area and ensure that there is limited 'bleed' impacting nearby housing. Conditions restricting hours of operation should be implemented along with limits on lux levels and ensuring all lighting is downwards facing;
- (6) The footpath link to Clays Farm should be secured and open/usable for full public use; and
- (7) Concerned re the amount of visitor parking spaces.

Raised no objection to a subsequent Parish Council notification in June 2020 regarding minor changes to the layout. A further Parish Council notification issued on 14/08/20 regarding further changed to the layout with a deadline for comments of 05/09/20. The Parish did not respond to this.

In addition 4 letters of objection raising the following concerns:

- (1) Loss of open land;
- (2) Insufficient local infrastructure;
- (3) Need provision for a bridleway connection through sites on west side of North End Road;
- (4) Need cycleway provision through the site;
- (5) Play area too close to existing houses;
- (6) Need 3 parking spaces per dwelling;
- (7) Underground parking should be considered; and
- (8) No provision to prevent cars parking on North End Road.

**COMMENTS ON REPRESENTATIONS RECEIVED:**

**PARISH COUNCIL**

- (1) The units closest to the east boundary are no higher larger than two storeys with either hipped or gabled roofs. A condition will be imposed to prevent alteration by owners of the roofs facing the eastern boundary;
- (2) A condition will be imposed to remove permitted development rights for garage conversions;

- (3) The large Bromsgrove building has been removed from the scheme and replaced with a terraced building set in from the eastern boundary;
- (4) Noted. This is discussed elsewhere in the report;
- (5) A condition will be imposed;
- (6) The footpath is shown on the proposed plans and will also be subject to a condition; and
- (7) Parking is considered in the conclusions section of the report.

## LOCAL RESIDENTS

- (1) The site benefits from outline permission for 45 dwellings therefore the loss of this open land has already been agreed in principle;
- (2) The outline permission (as amended) was subject to a Section 106 Legal Agreement which requires financial contributions to improve existing local schools, libraries and fire safety. The development contributes to improvements to the A27/Yapton Lane junction
- (3) & (4) The comments are noted but it is not considered that need has been demonstrated for a bridleway through the site. The layout includes two footpath links. Specific cycleway provision is not considered to be necessary;
- (5) The play area has to be located in this position to be in accordance with condition 4 on the Outline permission;
- (6) & (7) According to the Councils Parking SPD and policy PK1 of the Yapton Neighbourhood Development Plan, the parking requirement should be only 2 spaces per 3 bed dwelling or 3 spaces per 4 bed dwelling. Underground parking would not be in character in this village location and would likely interfere with drainage systems and tree roots; and
- (8) WSCC Highways have not advised that new restrictions on North End Road are necessary. It is considered unlikely that anyone would choose to leave a vehicle on the road as due to the road width, it would be susceptible to damage from other vehicles.

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| <b>CONSULTATIONS</b> |
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Engineering Services Manager  
Engineers (Drainage)  
Southern Water Planning  
Highways England  
Conservation Officer  
Environmental Health  
WSCC Strategic Planning  
Environment Agency  
Sport England South East  
Surface Water Drainage Team  
Parks and Landscapes  
Arboriculturist  
Planning and Housing Strategy  
Sussex Police-Community Safety  
NHS Coastal West Sussex CCG  
Archaeology Advisor  
Ecology Advisor  
Strategic Projects

Economic Regeneration

**CONSULTATION RESPONSES RECEIVED:**

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

HIGHWAYS ENGLAND - No objection.

SOUTHERN WATER - No objection subject to an informative.

WEST SUSSEX POLICE - No objections but list a number of advisory notes regarding improving security.

WSCC HIGHWAYS - Satisfied with the swept path diagrams for a refuse collection vehicle, fire tender and a private car. On the subject of parking, requested more information to demonstrate against WSCC's Parking Standards (August 2019).

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

ADC DRAINAGE ENGINEERS - proposal relies on discharge of surface water into the ground via infiltration and that based on the ground conditions identified, and discussions with the applicants engineers, it is clear that finding an acceptable drainage solution is going to be a challenge due to the reported poor infiltration rates. More discussion and investigations will be required in order to try and find a solution. At this time, it is not possible to say what form the drainage system will take.

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

- There is a small section of flint walling which fronts on to North-End Road;
- The eastern boundary is bordered by housing including Yapton Lodge (locally listed therefore a non-designated heritage asset) and The Old Cottage. The latter is a Grade II listed two storey detached house dating to C18. It is stuccoed and has a tiled roof along with casement windows in mounded architrave surrounds. It has a modern gabled porch and is of aesthetic significance;
- The site itself contains a flint and brick barn, which would be demolished and this is unfortunate as it forms part of the character of the area;
- The design of the houses appear to be based on the designs of properties constructed in the early to mid C20, which are somewhat suitable for the character of the wider village, which grew substantially during the C.20; and
- However, it is not clear why a large building (the Bromsgrove) has been located at the end of the curtilage of the listed building, when there is the opportunity to ensure that there is an attractive landscape buffer between the heritage assets and the new development. The location of this building is potentially harmful, but it could be reduced through greater landscape buffering.

ADC ENVIRONMENTAL HEALTH - No comments.

ADC HOUSING STRATEGY & ENABLING MANAGER - No objection.

ADC LANDSCAPE OFFICER - No objection to location of play area, landscaping, public open space

areas, buffer planting to the site boundary and management regime. Request a revision to the small area of POS north of plot 13.

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

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

### COMMENTS ON CONSULTATION RESPONSES:

WSCC HIGHWAYS - The applicant demonstrated the parking provision as per the more recent Arun Parking Standards SPD therefore there was no need to re-consult WSCC Highways.

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

ADC DRAINAGE ENGINEERS - Whilst comments are not an objection, it is clear engineers have no confidence as to how the site can be drained. A similar approach can be taken here to how a nearby application (Y/63/19/RES) was determined. There it was made clear that if the drainage condition cannot be agreed due to the layout not providing sufficient space then a new Reserved Matters application will need to be submitted to account for the necessary drainage features. On this basis, the reserved matters application can be determined without the full support of drainage engineers.

ADC CONSERVATION OFFICER - The large Bromsgrove building has been removed from the scheme and replaced with a terraced building set in from the eastern boundary.

ADC LANDSCAPE OFFICER - small area of POS North of Plot 13 has been removed from the layout.

### POLICY CONTEXT

Designations applicable to site:

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

### DEVELOPMENT PLAN POLICIES

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

|        |                                              |
|--------|----------------------------------------------|
| DDM1   | D DM1 Aspects of form and design quality     |
| DDM2   | D DM2 Internal space standards               |
| DSP1   | D SP1 Design                                 |
| ECCSP1 | ECC SP1 Adapting to Climate Change           |
| ECCSP2 | ECC SP2 Energy and climate change mitigation |
| ENVDM4 | ENV DM4 Protection of trees                  |
| ENVDM5 | ENV DM5 Development and biodiversity         |
| ENVSP1 | ENV SP1 Natural Environment                  |

|        |                                                             |
|--------|-------------------------------------------------------------|
| HDM1   | H DM1 Housing mix                                           |
| LANDM1 | LAN DM1 Protection of landscape character                   |
| HERDM1 | HER DM1 Listed Buildings                                    |
| HERDM2 | HER DM2 Locally Listed Buildings or Structures of Character |
| HERSP1 | HER SP1 The Historic Environment                            |
| HWBSP1 | HWB SP1 Health and Wellbeing                                |
| OSRDM1 | Protection of open space,outdoor sport,comm& rec facilities |
| QEDM1  | QE DM1 Noise Pollution                                      |
| QEDM2  | QE DM2 Light pollution                                      |
| QEDM3  | QE DM3 Air Pollution                                        |
| QESP1  | QE SP1 Quality of the Environment                           |
| SDSP1  | SD SP1 Sustainable Development                              |
| TDM1   | T DM1 Sustainable Travel and Public Rights of Way           |
| TELDM1 | TEL DM1 Telecommunications                                  |
| TSP1   | T SP1 Transport and Development                             |
| WDM1   | W DM1 Water supply and quality                              |
| WDM3   | W DM3 Sustainable Urban Drainage Systems                    |
| WMDM1  | WM DM1 Waste Management                                     |
| WSP1   | W SP1 Water                                                 |

#### Yapton neighbourhood plan 2014 Policy E4

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

#### **PLANNING POLICY GUIDANCE:**

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

#### **SUPPLEMENTARY POLICY GUIDANCE:**

|       |                                                              |
|-------|--------------------------------------------------------------|
| SPD3  | Parking Standards                                            |
| SPD12 | Open Space,Playing Pitches & Indoor& Built Sports Facilities |

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| <b>POLICY COMMENTARY</b> |
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The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area.

The relevant policies of the Yapton Neighbourhood Plan have been considered within this report.

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

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

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

The proposal is considered to comply with relevant Development Plan policies in that it would result in a development of an appropriate scale, layout and appearance which is not harmful to the character & appearance of the area, the amenities of existing residents, the nearby heritage assets or the existing road and public footpath network.

## **OTHER MATERIAL CONSIDERATIONS**

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

## **CONCLUSIONS**

PRINCIPLE:

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

COMPLIANCE WITH OUTLINE CONDITIONS:

Condition (4) requires the site layout accord with the Indicative Proposed Block Plan Dwg. PPC2 and that it shall include (i) 1.4ha of residential development comprising up to 45 dwellings on Area A and (ii) 0.31ha of landscaped open space on Area B which shall include a minimum 100m<sup>2</sup> designated as a Local Area of Play (LAP). This sets parameters for the layout & amount of development/open space and the layout has been designed to accord with this. This means the play area has to be located in the proposed position.

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

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

Condition (17) sets out the requirement that 25% of the 1, 2 & 3 bed dwellings be delivered to Lifetime Home standards. Lifetime Home standards no longer exist and the equivalent current standard is in part M of the Building Regulations. This would mean that at least 10 of the 41 1/2/3 bed dwellings should be part M compliant. The application confirms that 17 homes will be designed to meet part M(2) of the Building Regulations. The proposal complies with the condition and with policy H3 of the Yapton Neighbourhood Development Plan.

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

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

#### HERITAGE:

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

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

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

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

According to the Planning Practice Guidance, such benefits should be of a nature or scale to be of

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

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

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

The listed building is well screened from the application site. This being the case, it is considered that the harm to the heritage assets would be less than substantial. As noted above, paragraph 134 of the NPPF advises that less than substantial harm should be weighed against the public benefits of the proposal. It is therefore necessary to make an on balance judgement as to whether the wider benefits of the proposal outweigh the resultant harm to the significance of the affected designated heritage assets.

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

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

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

The Conservation Officer assessed the reserved matters submission (set out in full on the Councils website and summarised elsewhere in this report) and considers the proposal results in some harm but the level is less than substantial and that the level of harm is considered to be on the lower end of the scale. The Conservation Officer advises that public benefits should be identified to outweigh the harm. It should be noted that the layout has been altered by the applicant such that the large two storey Bromsgrove building which was to be located 3m from the rear boundary of Old Cottage has been replaced (and that the replacement built form is now set back from this boundary by around 18m).

It is considered that the previous balancing exercise still applies and that the less than substantial harm is clearly outweighed by the public benefits.

The proposal has some affect on the setting of the nearby heritage assets but some impact is expected given that permission has been given for the site to be developed. The layout has been altered and that this has improved the relationship to the Listed Building. The proposal complies with guidance in the

NPPF, ALP policies HER SP1 & HER DM1 and YNDP policy E9.

#### LAYOUT, APPEARANCE AND SCALE:

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

In terms of density, D DM1 requires that housing makes efficient use of land while providing a mix of dwelling types and maintaining character and local distinctiveness. Higher densities will be more appropriate in the most accessible locations. The policy requires the scale of development keeps in the general confines of the overall character of a locality. D SP1 "Design" requires development to make efficient use of land and reflect local character. Regard should be had to para 127 of the NPPF which states development must be visually attractive and sympathetic to local character and history. There are no design policies in the YNDP.

The Council has an emerging Design Guide which completed its initial consultation period, has been modified in response to the comments and will be subject to a further 4 week consultation period in accordance with regulations 12 & 35 of the Town & Country Planning (Local Planning) (England) Regulations 2012 (as amended). The National Design Guide has full weight as a material consideration in the determination of this application. This states that achieving a well-designed place comes about through making the right choices at all levels, including the layout (or masterplan), the form and scale of buildings, their appearance, landscape, materials and their detailing. It sets out ten characteristics of beautiful, enduring and successful places: Context, Identity, Built Form, Movement, Nature, Public Spaces, Uses, Homes & Buildings, Resources and Lifespan.

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

The layout functions well and the POS areas are usable spaces. The location of the large area of POS on the footpath route from North End Road results in this frontage area being an attractive space and this limits harm to the nearby heritage assets and to the amenities of existing residents outside the site. The amount of POS (0.31ha) accords with the requirements of condition (4) and the requirements of the Councils Open Space SPD. The play area exceeds the minimum amount set by the condition at around 200m<sup>2</sup>.

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

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

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

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

The applicant provided a written response to the National and Arun Design Guides, summarised below:

**CONTEXT** - Whilst historically, the site has had a rural character with only low density dwellings fronting North End Road & Maypole Lane, the site has been subject to change with approved houses at Clays Farm to the south and the consented scheme opposite at North End Road/Church Road/Ford Lane.

**IDENTITY** - The design of the development has sought to create a distinct identity, with the creation of key spaces, such as the entrance open space and eastern open space, allowing homes to front on to the open space and provide surveillance as well as a sense of place. Materials have been applied to the site to create a varied street scene, so buildings adjacent to each other do not appear the same or repetitive. The layout responds to the site features, both above ground, such as the single tree on the northern boundary and underground, such as the services along the access from Maypole Lane.

**BUILT FORM** - The parameters for the built form are established by the outline planning permission, with a requirement on the mix and density of development. This, along with the dimensions of the site, and requirements for back garden sizes, lead to a natural design solution for the built form on the site. The design creates perimeter blocks to provide natural surveillance onto the open spaces around the site, and the principle street running into the site.

**MOVEMENT** - The principles of movement around the site have been established by the outline planning permission. This introduces an all modes access from Maypole Lane and a pedestrian and cycle access to the east of the site. The proposed layout creates a clear hierarchy with a single central main street into the site with a series of private drives serving properties from this. The design has made provision for an access to the Clays Farm site to the south, following pre application requests from planning officers and the parish council. The inclusion of the pedestrian / cycle route to the east provides a more direct link for new residents to get to Yapton's local centre. The all modes access also provides the opportunity for new residents to walk to the Maypole Inn.

**NATURE** - The outline planning permission includes a condition that requires an ecological enhancements to be detailed prior to commencement of development. In line with officer requests at the pre application advice stage, this information will be submitted once the reserved matters are resolved. Ecological enhancements have been considered by the design team to inform the development of the layout.

**PUBLIC SPACES** - The outline planning permission sets out a requirement for a specific quantum of open space within the development. The proposed layout provides open space in two main areas across the site, as an entrance square and as the main open space to the east of the site.

**USES** - The site benefits from outline planning permission for up to 45 dwellings and 0.3 hectares of landscape open spaces.

**HOMES & BUILDINGS** - The 45 homes on the site have been designed to meet the requirements of the

outline planning permission on the site, which specifies the mix and density of the proposed homes. In addition conditions have been put in place to deal with waste storage, servicing and utilities, all of which will be discharged as the reserved matters are fixed, in accordance with officer requests following pre application advice. All properties have access to outdoor space, either in private gardens, in within the wider amenity spaces within the site.

**RESOURCES** - The principles of resources were considered by the Local Authority as part of the Outline Planning application. However, Redrow always seeks to build homes that will comply with building regulations and provide future home owners with opportunities to reduce their impact on resources, as such Redrow follows a fabric first approach to ensure homes are well insulated and energy used is not wasted. There is an outline condition requiring 10% of energy to be secured from decentralised and renewable or low carbon energy sources.

**LIFESPAN** - Redrow Homes aim to build homes that form new communities or integrate into existing communities. The new homes being created are built to last, using traditional construction techniques. The open spaces will be accessible to the wider community, but will be managed by a management company. The scheme has been designed to integrate with the wider network of emerging developments and networks, with a route to the south connecting to Clays Farm, and a route to the east linking to North End Road, and onto the proposed development at Ford Lane.

Matters of layout, appearance and scale are appropriate for the characteristics of the site and the character/appearance of the surrounding area. The proposal accords with ALP policies D DM1, D SP1, the National Design Guide, the emerging Arun Design Guide and the guidance in the NPPF.

#### LANDSCAPING & TREES:

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

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

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

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

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

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

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

OTHER MATTERS:

The reserved matters have been considered above. There are other issues to consider which relate to the detail of the scheme but which do not neatly fall under the above headings.

(A) Housing Mix -

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

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

The proposed development comprises the following housing mix:

- 6 x 1 bed dwellings (13.3%);
- 12 x 2-bed dwellings (26.7%);
- 23 x 3-bed dwellings (51.1%);
- 4 x 4-bed dwellings (8.9%).

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

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

The number of 1, 2, 3 & 4 bed dwellings are all in the range set out by YNDP policy H2 and therefore, there is no conflict with this policy. The affordable homes are within the 1-3 bed range and therefore accord with the SHMA in respect of predominantly being smaller dwellings.

(B) Residential Amenity -

ALP policy D DM1 requires the Council have regard to certain aspects including having minimal impact to users and occupiers of nearby property and land (such as by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance). Policy QE SP1 states the Council will ensure development does not have a significantly negative impact upon residential amenity. It is necessary to have regard to para 127 (f) of the NPPF which states planning policies and decisions

should ensure developments create places that have a high standard of amenity for existing and future users.

The Council has an emerging Design Guide which can be attributed relatively low weight at this time but does give an indication as to what might be acceptable separation distances between habitable rooms. These are as follows:

- Back to Back: min. 21m between habitable rooms of properties or to existing buildings;
- Back to Side: min. 14m between habitable rooms and side gable of adjacent property;
- Front to Front: min. 16m between habitable rooms of properties facing each other;
- Back to Boundary: min. 12m between habitable rooms and site boundary to existing landscaping;

The layout results in a mix of back-to-back & back-to-side relationships and the vast majority are considered to be in accordance with these standards. The exceptions are the back-to-side relationships of 8 & 9 to 10 and 30 & 31 to 32 which are only around 11.5m. As the Guide does not have full weight and is designed as guidance not policy, this shortfall can be allowed. The depths of the rear gardens to plots 32-42 ensure a 21m back-to-back distance if a similar arrangement was proposed on the Clays Farm site to the southwest. In respect of existing residential properties, the distances all more than exceed the standards (with distances around 29m, 59m, 71m).

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

#### (C) Parking, Roads and Public Footpaths -

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

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

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

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

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

In terms of parking, the requirement according to the Arun Parking SPD is 103 which consists of 94 allocated spaces (at either 2 or 3 per dwelling) and 9 visitor spaces. The proposal is for a total of 109.5 (with the half a result of garages only being treated as half a space as per the SPD) and this includes 9 visitor spaces. The proposal therefore exceeds the parking requirements.

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

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

(D) Waste Management -

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

(E) Surface Water Drainage -

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

The Councils drainage engineers have no confidence that the filtration drainage method will work and consider more investigations will be required to try and find a solution. Whilst the Engineers do not object, it is clear that they have no confidence as to how the site can be drained. It is considered that a similar approach can be taken here to how a nearby application (Y/63/19/RES) was determined. On that it was made clear that if the drainage condition cannot be agreed due to the layout not providing sufficient space then a new Reserved Matters application will need to be submitted to account for the necessary drainage features. On this basis, the reserved matters application can be determined without the full support of drainage engineers. On this basis, there is no conflict with policy W DM3.

(F) Foul Water Drainage -

The site falls in the Lidsey Wastewater Treatment Catchment Area. ALP policy W DM1 states that a drainage impact assessment is required for all major development and this has not been provided. It should be noted that the Councils planning application validation list only requires a Lidsey Foul Water Environmental Assessment Statement in cases where non-mains drainage is proposed and this application proposes a connection to mains drainage which was agreed at the Outline application stage. At that time, Southern Water raised no objections subject to conditions being imposed. Although there is conflict with policy W DM1, it is not considered that a refusal on this matter could be justified.

(G) Internal & External Space Standards -

ALP policy D DM2 states: "The planning authority will require internal spaces to be of an appropriate size

to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance". It is therefore necessary to assess the proposal against the internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard) to determine if the buildings are suitable for residential use.

The applicant has not provided an accommodation schedule but states houses are designed in accordance with the standards. This has been checked and the terraced (Tavy & Dart) and maisonette (A1/A2) house types are all in accordance whilst the other larger houses (Letchworth, Warwick, Amberley, Stratford, Oxford & Henley) all far exceed the required standards. The scheme is therefore acceptable in terms of internal space standards.

Para 127 of the NPPF states: "Planning policies and decisions should ensure that developments: (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience." There are no policies in the ALP relating to garden sizes, however, the emerging Arun Design Guide sets out standards for garden sizes as follows:

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

The terraced plots 10, 11, 18 & 19 do not have a 2m front garden area (this is only around 1m) but the other houses all have front gardens that exceed the standard. In respect of rear gardens of the houses, all are at least 10m and those where there is a back-to-back arrangement are 10.5 (in order to allow for a 21m back-to-back relationship). Whilst there is some shortfall against the standards in respect of the houses, this is acceptable as the Guide does not have full weight and is designed as guidance not policy. The 6 maisonettes are considered to be flats for the purposes of the Guide. These have a half share of a rear garden. These vary in size with the smallest being around 30m<sup>2</sup> and the largest being around 90m<sup>2</sup>. These are all appropriate levels of amenity for these dwellings. On this basis the scheme provides a good standard of amenity for future occupiers.

#### (H) Climate Change -

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

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

#### SUMMARY:

This report demonstrates there are no materially harmful concerns with the reserved matters scheme and the application is in accordance with most development plan policies. It is recommended that

permission be granted subject to additional conditions alongside those imposed on Y/49/17/OUT ( varied by Y/13/18/PL).

## HUMAN RIGHTS ACT

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

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

## DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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

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

## CIL DETAILS

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

## RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be carried out in accordance with the following approved plans:
  - "Location Plan" Dwg 023;
  - "Planning Layout" Dwg 059 Rev B;
  - "Coloured Landscape Plan" Dwg 0100 Rev PL05;
  - "House Type Brochure" (comprising house elevation/floor, garage and communal bin store drawings 25, 26, 27, 28, 29, 30, 31, 32 Rev A, 34, 35, 42, 51, 63, 64, 65, 66, 67, 68, 69 & 70);
  - "Enclosures Plan" Dwg 13 Rev F;
  - "Materials Plan" Dwg 14 Rev G;
  - "Occupancy Plan" Dwg 15 Rev F;
  - "Massing Plan" Dwg 16 Rev F;
  - "Affordable Housing Plan" Dwg 17 Rev F;
  - "External Surfaces Plan" Dwg 18 Rev F;

"Parking Plan" Dwg 19 Rev F;  
 "Refuse Plan" Dwg 20 Rev F;  
 "Street Scenes A-C" Dwg 22 Rev F;  
 "Detailed Planting Plan - Sheet 1 of 2" Dwg 0301 Rev PL05;  
 "Detailed Planting Plan - Sheet 2 of 2" Dwg 0302 Rev PL05;  
 "Plant Schedule and Maintenance Specification" Dwg 0303 Rev PL05;  
 "Boundary Treatment Plan - Sheet 1 of 2" Dwg 0501 Rev PL05;  
 "Boundary Treatment Plan - Sheet 2 of 2" Dwg 0502 Rev PL05;  
 "Detailed Play Provision - LAP" Dwg 0503 Rev PL04;  
 "Tree Setting Out Plan - Sheet 1 of 2" Dwg 0601 Rev PL05;  
 "Tree Setting Out Plan - Sheet 2 of 2" Dwg 0602 Rev PL05;  
 "General Arrangement" Dwg 18-343/104 Rev C;  
 "Refuse Vehicle Tracking" Dwg 18-343/100 Rev C;  
 "Fire Tender Vehicle Tracking" Dwg 18-343/101 Rev C;  
 "Private Car Vehicle Tracking" Dwg 18-343/102 Rev C;  
 "Pumping Station Tanker Tracking" Dwg 18-343/103 Rev B;  
 "Street Lighting Design" Dwg MMA15553/001 Rev R3;  
 "Landscape Maintenance & Management Specification" ref 001 Rev PL04;  
 "North End Road, Yapton - Roadway Lighting Reports" (6 reports all ref MMA15553 Rev R3);  
 "Proposed Lighting - Risk Assessments" ref MMA15553 Rev R3;  
 "Environmental Impact Assessment & Lighting Design Category Selection Process" ref MMA15553 Rev R3;  
 "Outdoor Lighting Report" ref MMA15553 (06/08/20); and  
 "North End Road, Yapton - Proposed Lighting - Electrical Connections Schedule" ref MMA15553 Rev R3 (06/08/20).

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

- 2 All trees and hedgerows to be retained within the site shall be protected in accordance with the Detailed Planting Plans (drawings 0301 & 0302 Rev PL05) and the "Landscape Maintenance & Management Specification" ref 001 Rev PL04. Any tree pruning considered essential to enable the agreed development must meet the requirements of BS3998:2010 Tree work - Recommendations:

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

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

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

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

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

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

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

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

- 6 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

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

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

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

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

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

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

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

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

- 11 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.
- 12 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 27/05/20) as available on the Councils website.
- 13 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.
- 14 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](http://www.southernwater.co.uk). Please read the New Connections Services Charging Arrangements documents which is available to read on the SW website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.
- 15 INFORMATIVE: The applicant should note that this layout has been approved without sufficient site investigations to determine whether infiltration of surface water runoff is viable and therefore if it subsequently becomes clear that the drainage conditions cannot be agreed due to the layout not providing sufficient space for drainage then a new Reserved Matters application will need to be submitted as the Local Planning Authority will not be able to agree such changes through the Non Material Amendment process.