

Recommendation Report for Approval of Reserved Matters Following Outline Approval

REF NO: Y/4/19/RES

LOCATION: Cinders Lane Nursery & works to R/O
Cinders Lane
Yapton
BN18 0JJ

PROPOSAL: Approval of reserved matters following outline consent Y/5/17/OUT for 51 No. dwellings. This application affects a Public Right of Way.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks reserved matters approval for 51 residential dwellings with associated parking, road/footway/cycleway provision, open space, landscaping and ancillary works. Approval of scale, layout, external appearance and landscaping are sought. The details of access were approved on the outline application (Y/5/17/OUT).

The proposed scheme includes a mix of 2, 3 & 4 bedroomed houses plus 1 & 2 bedroomed flats. So 6 x 1 bed flats, 6 x 2 bed flats, 8 x 2 bed houses, 26 x 3 bed houses and 5 x 4 bed houses. Fourteen of the dwellings will be affordable with a mix of Affordable Rented (10) and Intermediate (4). All of the flats are affordable and consists of one block in the southwest corner (39-46) alongside 2 affordable rented houses (39-40). The second flatted block is located further east along the southern boundary (21-24).

Each house will have at least 2 parking spaces and some will have a garage instead of a second space. The four bedroom dwellings will have a garage and two spaces. The 1 bed flats have a single space each whilst the 2 bed flats have two each. There will also be 15 visitor spaces.

The flatted buildings are both two storeys high. The houses are mixed with both two and three storeys (plots 12-20 on the eastern side being three storeys). The flatted building at plots 39-46 has an integral bin store and an external cycle store. The other flatted building (21-24) has external bin and cycle stores. For storage, all of the houses will either have a shed or just a garage. The garages are 6m long to allow for cycle storage and the parking of a car.

The layout takes two accesses from the existing unadopted Cinders Lane. Footpath 166 along Cinders Lane is being

retained but improved with new surfacing and a dropped kerb/tactile paving crossing point on Cinders Lane. There is a section of existing ditch to the western side of Cinders Lane opposite the site which is being retained and can be easily maintained in future due to being alongside the road.

The layout includes two areas of public open space (POS), one located centrally within the site and the other in the southeast corner. The main area will also include a children's play area and an area of fruit trees for use by the community. The total amount of POS is 2303m². Play areas are indicated to be within the largest area of POS. There is then a foul water pumping station shown in the corner of the second smaller area of POS.

The application also includes a comprehensive hard & soft landscaping scheme which includes new trees (including fruit trees), new shrubs, hedges, wildflower planting and grassed areas. The drawing also shows the use of new tarmac, paving (2 different types), concrete paving slabs, mulch, gravel footpaths and grasscrete. The proposed boundary treatments are as follows:

- 1.8m close boarded fencing (CBF) with hedgehog holes;
- 1.2m cleft post & rail fence with dog proof mesh;
- 1.8m weldmesh fencing to the allotments to the north to match the existing;
- 1.8m brick walls; and
- 0.9m native/clipped hedges.

SITE AREA	1.75 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	29 dwellings per hectare.
TOPOGRAPHY	Predominantly flat
TREES	The application proposes to remove most of the trees/tree groups. All of these are categorised as either B class or U class. Three groups of trees and two hedges are to be retained and pruned.
BOUNDARY TREATMENT	* 2m close boarded fence to the western and southern boundaries; * 1m chain link to the northern boundary with the allotments; and * Dense hedging/overgrown planting to the eastern boundary with the footpath.
SITE CHARACTERISTICS	The site comprises an almost square site to the east of Cherry Avenue. It is currently accessed by Cinders Lane which meets Bilsham Road to the west. This junction has a doctors surgery (Meadowcroft) to the north and a row of terraced houses (Medway Cottages) to the south.

The site part comprises in part a former nursery site with three

large glasshouses in the north eastern corner, a works building with outdoor storage and its own separate access from Cinders Lane in the south western corner and then a mix of hardstanding, overgrown planting and three single storey residential properties with private gardens/curtilages. Two of these appear to be residential park homes (caravans).

CHARACTER OF LOCALITY

The area is considered to be semi-rural in character. It is located outside of the settlement but there are residential buildings to the west on the opposite side of Cinders Lane. To the south is a large rectangular private yard occupied by a single storey pitched roof corrugated shed, two static mobile homes, a residential park home (this part of the adjacent site projects into the application site), some smaller metal/timber sheds and various parked trailers. To the north lies a rectangular area of allotment gardens. A footpath runs along (but outside of) the eastern side of the site.

RELEVANT SITE HISTORY

Y/48/19/DOC	Approval of details reserved by condition imposed under Y/5/17/OUT relating to Condition Nos 9 - Construction Management Plan and 10 - contamination of the site.	
Y/5/17/OUT	Outline application for 51no. dwellings with all matters reserved except for access. This application is a Departure from the Development Plan.	App Cond with S106 31-08-18
Y/32/17/OUT	Application for outline planning permission for development of up to 19 dwellings with all matters reserved. This is a Departure from the Development Plan.	App Cond with S106 18-04-18

The site benefits from an outline planning permission ref Y/5/17/OUT. It should also be noted that the land to the south also benefits from an outline planning permission (ref Y/32/17/OUT) but that no reserved matters application has yet been proposed for that site.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Yapton Parish Council

Yapton Parish Council has stated their support for the application with the following comments:

"Yapton Parish Council (YPC) has given careful consideration to the above application which outlines the detail of the 51 residential units at Cinders Lane. This proposal forms part of Yapton Neighbourhood

Plan's housing contribution to the ALP.

YPC regard this application as an opportunity to strengthen and redefine Yapton's unique heritage and rural identity. YPC believe that through good design, new development should be able to both blend into and enhance the existing built environment reinforcing the Parish's identity. YPC seek in new residential development a sympathetic use of mixed materials, house design and a positive use of open space to foster an environment that focuses not only on fulfilling purely housing need but ensures sustainability and a legacy of housing schemes that benefit residents in terms of wellbeing, sustainable transport and environment.

1. Access

Parking. YPC note that parking standards have been met but are dependent upon designated garages remaining as such. YPC require that a restriction is placed on converting garages to ancillary living accommodation for the first 5 years commencing from final occupation of the scheme. This will enable the scheme to grow into its intended form and avoid unnecessary and unintended stresses placed on its streetscape, open space and accessibility through displaced parking resulting from loss of provided garage space.

YPC would also seek that the designated visitor parking area and spaces fronting residential units is softened by the use of CORE Grass or similar green permeable parking system. This would maintain the practicality of hard landscaping for parking areas but provide a softer finish providing a more rural outlook onto green space opposed to tarmac/block paving.

Footpaths. YPC wish to encourage a fully connected multi-user pathway network throughout the Parish. This has been endorsed through the discussions on SD7 and should be reflected through every emerging residential scheme in the Parish. YPC seek to ensure that the footpath along the eastern edge of the proposed site is upgraded to being able to accommodate multi-use. In doing this, the path must have adequate useable width to ensure its safe use by all especially for passing. The path is currently at a suggested 3m width and YPC would recommend that this is increased to a minimum useable width of 5m to ensure that the existing landscaping/hedging is accounted for and does not encroach into the multi-use pathway and reduce its actual useable width.

YPC therefore require a condition that will specify the proposed public right of way be a 5m multi-user path built to an appropriate specification for immediate use after the first occupation of the scheme. Landscaping of the path must reflect the rural backdrop with adequate buffers/margins to ensure good biodiversity along the improved public multi-user pathway. This would help enrich the local environment and enhance Yapton's rural backdrop and residents of both the new housing and existing wellbeing.

2. Layout and scale

YPC accept the density of 51 units. YPC recognise that some care has been taken to ensure good garden space and landscaping. YPC appreciate that the housing faces outwards and the applicant has tried to create a more varied site line from street level. YPC would seek the use of front gardens and green laybys is promoted to soften the streetscape and enhance Yapton's heritage and village status. This is clearly reflected in Emerald Gardens and the proposed design statements of both Y/1/17/OUT and SD7.

YPC therefore require a condition stating that parking spaces fronting streets and housing must have green and permeable finish. YPC would also seek that the community orchard has an agreed maintenance plan to ensure that suitable fruit trees are planted and maintained until fully established. This plan must include a requirement that any trees that die in the first 3 years must be replaced. This will ensure a genuinely community focused orchard will become established.

3. Appearance

YPC note that the applicant has drawn much of the detail from the newly built schemes in the village such as Fellows Gardens with a very strong emphasis on brickwork. Whilst YPC appreciate that the applicant has tried to use brick relief to present some variation in appearance YPC believe that on the scale of 51 units this is lost and a bland urban streetscape is being proposed. YPC would request that a more varied approach to use of materials should be applied as per the new Emerald Gardens, a more recently completed scheme in the Parish. The scheme needs to reflect the overall village's heritage and reinforce the Parish's heritage through a mix of materials including flint and hanging tiles.

YPC therefore would request that the suggested brick palette is varied with the use of flint and clay tiles throughout the scheme ensuring a scheme more identifiable with an Arun coastal Plain village.

4. landscaping

YPC accept that density of the scheme limits the extent of landscaping that can be created through the scheme. YPC therefore requires that there is good use of 'soft' hard landscaping such as CORE grass or its equivalent for parking areas especially fronting residential units.

YPC expect the designated landscaping margins to be maximised in depth and use of planting to encourage a biodiversity, wildlife and blend into the rural backdrop of the site."

The main Parish concerns are summarised below:

- (a) Use of CORE Grass or similar for core parking areas;
- (b) Need restriction to prevent garage conversions within first 5 years;
- (c) Request multi-user pathway down eastern side of the site (increase of width from 3m to 5m);
- (d) Front gardens and green laybys should be promoted to soften the streetscape;
- (e) Need maintenance plan for the green orchard; and
- (f) More diversity in materials including flint and clay hanging tiles.

In addition, 6 letters of objection and 2 letters raising comments. The objections and comments are summarised below:

- (1) Object to the assertion that parking isn't a significant impact on visibility for vehicles at the junction with Bilsham Road;
- (2) Junction with Bilsham Road is unsuitable and unsafe;
- (3) Applicant can't just claim Cinders Lane for themselves;
- (4) Not clear as to how the footpath will be altered; and
- (5) Frogs in the ditch and Stoats seen on site.

COMMENTS ON REPRESENTATIONS RECEIVED:

The following is in response to the YPC comments:

- (a) It is considered that Core grass tends to work best in areas which are only used occasionally so the grass has enough time and light to regenerate between uses. The main residential parking spaces are likely to be well used in this residential setting and therefore any planting within the core grass would likely fail. However, the applicant has agreed to the use of reinforced grass for 9 visitor spaces split between two locations within the scheme;
- (b) A condition will be imposed however, it will be a permanent condition not just for 5 years;
- (c) The pathway is shown as being 5m wide although this includes the existing hedging along the eastern boundary. The scheme also makes provision for a potential future bridleway, the line of which would cut across the site;

- (d) This will be discussed in the report's conclusions under "Layout, Appearance and Scale";
- (e) The previous layout showed an orchard area of 13 fruit trees and wildflower meadow planting. Unfortunately this has been reduced on the new scheme due to the need to accommodate the proposed bridleway route. However, the layout still shows 8 fruit trees with wildflower meadow planting as part of the public open space. A landscape management plan will be imposed to require the approval of such details post permission; and
- (f) The applicant has introduced flint blocks with brickwork detailing to the walls of plots 1, 2, 5, 6, 7, 9, 27, 31, 32, 35, 36 & 47.

It should be noted that the Parish Council were re-consulted on both of the scheme amendments but no further comments have been received.

The following responses are provided in respect of the resident concerns:

- (1) & (2) The access to the site has already been approved on Y/5/17/OUT and it is not possible to reconsider matters relating to the access or visibility at this access;
- (3) Land ownership is not a material planning consideration and should instead be dealt with through a solicitor;
- (4) There is to be no alteration to the routes of the existing footpaths but there will be a change to the surfacing of the footpath that runs alongside Cinders Lane (to be formalised as pavement) and the footpath along the east side of the site will be widened from 3 to 5m; and
- (5) Ecological matters were considered on the outline application (Y/54/17/OUT) and conditions were imposed at that time to protect reptiles.

CONSULTATIONS

Southern Water Planning
Engineering Services Manager
Engineers (Drainage)
Parks and Landscapes
Highways England
WSCC Strategic Planning
Surface Water Drainage Team
Environmental Health
Planning and Housing Strategy
Parks and Landscapes
Arboriculturist
Sussex Police-Community Safety
NHS Coastal West Sussex CCG
Archaeology Advisor
Ecology Advisor
Economic Regeneration

CONSULTATION RESPONSES RECEIVED:

HIGHWAYS ENGLAND - No objections.

SOUTHERN WATER - No objection. Request a standard informative.

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

WSCC HIGHWAYS - The final County Highways response (24/07/19) sets out no objections to the proposed site layout. Also, previously advised that the amount of parking was in line with that shown on the outline scheme.

COUNCIL'S ECOLOGIST - Have provided the same response as was given for the outline application Y/5/17/OUT.

ADC DRAINAGE ENGINEERS - State that sufficient information has been submitted to demonstrate that (1) the revised proposals provide 3m easement to watercourses to facilitate future maintenance; (2) the proposals will restore a point of discharge for the watercourse; and (3) the layout provides adequate space to drain the site and not increase flood risk. State that further detail will need to be submitted to discharge conditions 13, 14, 15, 16 and 17 as there are some details which need to be further refined and a couple of issues to be resolved.

ADC LANDSCAPE OFFICER - Initially raised objection due to lack of clarity over amount of public open space (POS), proposed choice of materials for the footpath surfacing and lack of detailed landscape proposals. However, following receipt of amended plans, the objection has been lifted. State that:

- The landscape scheme is varied and suitable for location providing a mix of both evergreen and deciduous planting;
- The information has been supplied in plan form with quantities, species choice, planting densities & size at time of planting;
- Is in agreement with the proposal that the maintenance of the POS areas do not come to the LA for adoption, but are instead retained and maintained by the appointed management company;
- Agree that the pathways now changed to tarmac would be our preference and allow for inclusive access across the development;
- The public open space (POS) requirement is 3590m² to be provided on site;
- The number of dwellings on this proposal being 51no triggers the need for onsite LAP & LEAP and this should be provided on-site;
- The LAP should be generally unequipped with natural features such as mounds/boulders, seat and bin. The LEAP would need to be equipped containing at least six play experiences, suitable surfacing and connecting pathways to ensure inclusive access;
- There should be no SuDS features within the POS; and
- The layout is an improvement on the previous but there is concern re the proposed 'Bridal/Pathway' which bisects the site and affects the usability of the POS.

ADC TREE OFFICER - raise no objection subject to a standard tree protection condition. State that the latest submissions increase the number of tree removals which is unfortunate, although they were already of a relatively high number and none were considered of sufficient merit to justify the making of a Tree Preservation Order.

ADC ENVIRONMENTAL HEALTH - Have no additional comments to make following the response given to Y/5/17/OUT.

ADC HOUSING STRATEGY & ENABLING MANAGER - No objections.

ADC ECONOMIC DEVELOPMENT - No further comments.

COMMENTS ON CONSULTATION RESPONSES:

All comments noted. The ecology comments were previously considered during the determination of the outline application. However, an additional condition will be imposed to require that bat & bird boxes are provided on the site.

POLICY CONTEXT

Designations applicable to site:

Outside the Built Up Area Boundary;
 Adjacent to Footpath FP166;
 Special Control of Adverts;
 PD Restriction;
 No Public Sewer;
 Lidsey Treatment Catchment Area;
 Within 500m of Northwood Farm Waste Site; and
 Grade 2 Agricultural Land.

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
HSP1	HSP1 Housing allocation the housing requirement
LANDM1	LAN DM1 Protection of landscape character
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
QEDM4	QE DM4 Contaminated Land
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP1A	SD SP1a Strategic Approach
SDSP2	SD SP2 Built-up Area Boundary
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

West Sussex Waste Local Plan 2014:

Yapton neighbourhood plan 2014 Policy BB1

Yapton neighbourhood plan 2014 Policy E4

Yapton neighbourhood plan 2014 Policy E5

Yapton neighbourhood plan 2014 Policy E6

Yapton neighbourhood plan 2014 Policy BE2

Yapton neighbourhood plan 2014 Policy E11

Yapton neighbourhood plan 2014 Policy PK1

Yapton neighbourhood plan 2014 Policy H2

Yapton neighbourhood plan 2014 Policy H3

West Sussex W2 Safeguarding Waste Management Sites

Built-up Area Boundary

Minimising the environmental impact of development

Enhancement of biodiversity

Green infrastructure and development

High speed broadband

Minimising the impact of flooding from development

Parking standards for new residential development

Dwelling size

Dwellings appropriate for the needs of older people

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD1	Open Space & Recreation Standards
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POLICY COMMENTARY

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.

It should be noted that section 38 (5) of the Planning and Compulsory Purchase Act 2004, states that: "If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document". Therefore, any conflict between the Yapton Neighbourhood Development Plan and the Arun

Local Plan, should be resolved in favour of the latter.

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 or the existing public footpath network.

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

PRINCIPLE:

The principle of 51 new residential dwellings on the site with access from Cinders Lane has already been established by application Y/5/17/OUT. It should be noted that 51 dwellings were approved and so it would be difficult to request a lower amount. The access details on the outline also proposed the following improvements:

- * Closure of the existing surgery access onto Cinders Lane;
- * Creation of two new accesses to the surgery's car parks from Cinders Lane;
- * Promotion of a Traffic Regulation Order to restrict parking in the vicinity of the Bilsham Road junction;
- * Widening of the access road for a distance of 40m east of the Bilsham Road junction (using land from the front of the surgery);
- * 1.2m wide footway on the southern side of Cinders Lane; and
- * Priority signage along Cinders Lane to advise drivers which direction has priority.

It is therefore only necessary to consider the outstanding details - those of layout, appearance, landscaping and scale. It is also only appropriate to consider development plan policy/material considerations in respect of the reserved matters. Matters relating to flood risk, biodiversity, agricultural land, countryside location, foul drainage (the principle of 51 new dwellings connecting to the network), children's play and infrastructure are all considered to be outline issues.

LAYOUT, APPEARANCE AND SCALE:

Policy D DM1 of the Arun Local Plan (ALP) requires that 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 also requires the Council to consider scale, massing, aspect, siting, layout, density, building materials, landscaping, and design features. It is also 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 new housing makes efficient use of land while providing a mix of

dwelling types and maintaining character and local distinctiveness. However, higher densities will be more appropriate in the most accessible locations. The policy also requires that the scale of development keep within the general confines of the overall character of a locality. ALP policy D SP1 "Design" requires development to make an efficient use of land and also reflect local character. Regard should also be had to para 127 of the NPPF which states that development must be visually attractive and sympathetic to local character and history. There are no design policies in the YNDP.

The layout of the site has been changed from that which was first provided. This was partly in response to a request by the local planning authority for the northern part of the road layout to be straightened to create a semi-circular loop at the end with the plots on the eastern side of the development then fronting this road and the public open space (POS) then sited centrally inside the loop. These changes allow for all but one of the dwellings/flatted buildings to front onto a road (plot 32 being the only exception - this fronts onto the POS instead).

It was also partly as a result of a third party applying to West Sussex County Council (WSCC) to upgrade public footpath no. 166 into a public bridleway; and for this bridleway to be diverted to cross the application site from its north western to its south eastern corner. The applicant's solicitors advised them that the site layout should be planned to reflect the fact that this new route could be approved. Accordingly, the layout now shows a right of way crossing the site (although this is not linked to any existing path at either end).

Notwithstanding, the revised layout also shows an increase in the width of the existing route of path 166 (from 3 to 5m) along the eastern side of the site and also shows access from the site to this path. There is also the future potential for a link to be made into the adjoining site to the south although this is in separate ownership and so it is not yet possible to secure this.

The potential route of footpath 166 has an impact on the amount of useable POS within the scheme and also results in a dead end pathway to the northern part of the site (that in the south-eastern corner at least connects to the existing route of path 166). However, the majority of the bridleway route has been absorbed into the layout with minimal visual impact.

The scheme proposes predominantly two storey buildings but with some three storey town houses along the eastern side of the site. The surrounding form of residential development is predominantly two storeys therefore there is no harm to local character. The three storey houses are an exception but these are located to the eastern side of the site away from existing dwellings. These will have greater visibility in the landscape when viewed from the east. However, their impact is mitigated by the fact that they are set in from the eastern boundary by around 15m. They will be closer to the existing footpath, however, they will not be oppressive due to the width of the path and will also offer natural surveillance of this pathway.

There is also variation in the roof heights of the two storey buildings which will add diversity to the scale of the street scenes. There is additional diversity in design from the use of front gables, small window sized dormers, covered porches, bay windows and the instances of garages (some flat roofed, some pitched). The scheme proposes a mix of materials as set in the submitted Schedule (Rev B) and this is considered to be appropriate. The materials schedule has been amended during the determination to secure the use of flint facing as requested by the Parish Council.

There is a request from the Parish Council that front gardens and green laybys are promoted to soften the streetscape. The layout shows frontages to be a mix of green amenity planting, some instances of tree planting and parking spaces. It is considered that this is sufficiently mixed and it is also refreshing to see relatively deep front gardens which is not always the case in new housing developments.

It is therefore considered that the matters of layout, appearance and scale are appropriate for the characteristics of the site and the character/appearance of the surrounding area. The proposal is therefore considered to be in accordance with ALP policies D DM1, D SP1 and with guidance in the NPPF.

LANDSCAPING & TREES:

Arun Local Plan policy LAN DM1 states that: "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.

Arun Local Plan policy ENV DM4 states that "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".

Yapton Neighbourhood Development Plan (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.

A comprehensive landscaping scheme has been proposed which details new tree, shrub and hedge planting plus grassed and meadow areas. Hard surfacing treatments are considered to be varied and a mix of boundary treatments are proposed within the layout. The treatments to the existing site boundaries are also considered to be appropriate. The application is also accompanied by a Tree Protection scheme which sets out protection & pruning measures to those trees to be retained. The landscaping scheme has been appraised by the Council's Landscape Officer who raises no objection. The Council's Tree Officer has also raised no objections and therefore, it is not considered that an objection could be sustained in response to the trees proposed for felling.

On the basis that neither of the Council's technical experts raise any objections and given that the third party concerns have been resolved, it is considered that the scheme is in accordance with ALP policies LAN DM1, D DM1 and YNDP policy E4.

OTHER MATTERS:

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

(A) Public Open Space

ALP Policy OSR DM1 states that residential developments should provide or contribute to open space, children's play, playing pitch provision and indoor sports & leisure facilities. A supplementary planning document (SPD) is to be prepared to set out the methodology for providing these.

In respect of the amount of POS, the first thing to note is that although the illustrative layout submitted with the outline application indicated two areas of open space (1100m² allotments and 1900m² POS) with a total area of 3000m², in fact the areas shown only totalled 2314m². Also, that this plan included the two play areas (100m² & 400m²) as part of the POS. At that time, the Council accepted that the provision was in accordance with the standards contained in the "Open Space and Recreation Standards" SPD (2000) but noted that it would not meet the new Fields in Trust (FIT) standards (which

would require 3590m²).

It should be noted that until there is no current policy basis for the FIT standards (this is yet to come in a forthcoming Open Space SPD) and as such it would be difficult to justify a refusal based on non-compliance with these standards.

The applicant states that the scheme includes a total of 0.23 hectares (2303m²) and that this is made up of the following areas of the site:

- (1) Central POS (including a LAP & LEAP) - 1400m²;
- (2) POS in south eastern corner - 678m²; and
- (3) POS strip on northern boundary - 225m².

The local planning authority does not consider that the third area is useable POS and so would not agree to its inclusions within the calculation. Therefore, the total amount of useable POS would be only 2078m². This would be further reduced once the 500m² worth of play space provision is taken away.

However, it is material that the Council granted permission for a set number of dwellings (51) on the outline permission. It is also material that the applicant had to allow for a future bridleway and also agreed to the Parish request for the widening of the footpath on the eastern boundary. It is considered that the only way to accommodate all of these items within this layout would be to have more flats and less houses. This would not be considered appropriate on an edge of settlement site with open countryside to the east and south - and also noting that the predominant development form in the local area is two storey houses.

It is therefore considered that a special case can be made for allowing a shortfall in the amount of POS.

(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 that development does not have a significantly negative impact upon residential amenity. It is also necessary to have regard to para 127 (f) of the NPPF which states that planning policies and decisions should ensure that developments create places that have a high standard of amenity for existing and future users.

The Council currently has no specific policies regarding the relationship between dwellings. However, 20m between dwellings is an accepted general standard and also ensures that rear private gardens to houses are at least 10m deep). Also 13.5m is an accepted standard for side to front/rear relationships. There is no general standard for flank to flank but flanks do not tend to contain principal windows therefore a narrow gap is often appropriate.

There is no existing residential development to the eastern or northern boundaries. To the south, there is a residential park home which is occupied by a gypsy/traveller along with some ancillary buildings including stables and a large storage building. This land also benefits from an outline permission for new houses (Y/32/17/OUT). The park home is in a part of the site that projects into the Y/4/19/RES layout and which in the future if redeveloped with one or two new houses could become part of the new streetscene. The layout drawing has considered how the site could integrate with a layout on the land to the south and this could be achieved without harm to the amenity of neighbouring dwellings.

In terms of the existing situation with the park home, there would be an impact in terms of light loss

particularly in the mornings and afternoons. However, the occupant could relocate the mobile to elsewhere on the site if this was a problem but it is assumed that the residential development of this plot will occur as the site has an outline benefit and remains allocated for such in the Yapton Neighbourhood Development Plan. There would be no overlooking with the proposed situation as the ground floor flank windows in the proposed dwellings to the east and west of the mobile home will be screened by boundary fencing whilst the first floor flank window in plot 26 can be obscure glazed as it serves a bathroom.

The proposed houses along the southern boundary will have gardens of at least 10m in depth and this will ensure an appropriate interface distances to the new houses on the adjoining plot as long as they also have 10m deep gardens. There is a shorter gap between the rear of the flatted building and the boundary (between 5.5 and 6.5m). This could result in an inappropriate relationship with new houses to the south. However, as there are no firm details for the site to the south, it would not be possible to sustain an objection on these grounds and design could be used to mitigate any harm (such as tree planting, longer gardens, room layouts etc).

To the west, beyond Cinders Lane, there are existing houses and gardens but the interface distance between the fronts of new dwellings and the rears of existing dwellings is at least 21m and in many cases, more. There are not therefore considered to be any potential for overlooking or loss of light concerns.

The interface distances when combined with the existing boundary treatments will also ensure that there is no light spill into the gardens/houses to the west from cars using the new estate roads.

It is therefore considered that the scheme is in accordance with ALP policies D DM1, QE SP1 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". In addition, the policy also states that 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 also sets out the need to protect and enhance public pedestrian routes including to enable better access by cyclists. YNDP policy PK1 is also relevant in respect of car parking and states that: "For all new residential developments, the following minimum standards shall apply for the provision of off-road parking:

- 1-bed house/flat = 1 off-road car parking space
- 2-bed house/flat = 2 off-road car parking spaces
- 3-bed house/flat = 2 off-road car parking spaces
- 4-bed house/flat = 3 off-road car parking spaces

- 5+ bed house/flat = 4 off-road car parking spaces"

The proposal makes provision for an upgrade to the width of footpath 166 along the eastern side of the site. It is also make provision for a future diversion of this route through the site. Therefore, the proposed layout not only protects but also enhances public pedestrian routes.

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. It is also noted that the flatted buildings are shown to have bin stores which can be accessed by refuse vehicles from the roadside therefore, there will be no cluttering of the streetscene on bin collection days.

In respect of parking, the requirements of policy PK11 would be a total of 101 spaces. The proposal provides a total of 116 spaces and this number includes 15 visitor spaces. This is also in accordance with the West Sussex County Council's parking calculator which sets out a demand for 113 spaces. Permitted development rights will be removed for the garages to ensure that any garage conversions require planning permission and as such allow for parking needs to be assessed again in the future. The scheme also includes cycle storage contained within either rear garden sheds, garages (the garages are larger than required to allow for this) or communal stores (for the flats)

It is therefore considered that the proposal is in accordance with ALP policies T SP1, T DM1 and with YNDP policy PK1.

(D) Surface Water Drainage -

ALP policy W DM3 (Sustainable Urban Drainage Systems) states that: "To increase the levels of water capture and 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." In addition, 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.

ADC Drainage Engineers have made an assessment of the application and consider that sufficient information has been provided to demonstrate that the existing ditches will be protected and afforded future access and there will be adequate space to drain the site and not increase flood risk elsewhere. Matters of detail will be considered in the separate discharge of the outline conditions. It is therefore considered the proposal accords with ALP policy W DM3 and YNDP policy E11.

(E) Internal & External Space Standards -

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 provided a schedule (shown on the Site Layout Plan) which demonstrates that 100% of the affordable dwellings comply with the standards and also that 100% of the market dwellings comply.

Policy D DM1 refers to the need for compliance with the Arun Design Guide. This is to replace policy D DM3 "External Space Standards" which was deleted at the request of the Local Plan Inspector. Until such time as this Design Guide is published, there is no policy within the Arun Local Plan regarding

private gardens sizes.

However, paragraph 127 of the NPPF does state that: "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."

The proposed houses will all have private rear gardens and although not all gardens are the full 10m in depth, they are all considered to be useable private spaces. The flats also are considered to have decent communal amenity areas. A condition removing permitted development rights for rear extensions and outbuildings is to be imposed regarding plot 32 as this is considered to be much smaller than the other plots and the amount of private gardens to this plots could be adversely affected by such additional development. On this basis, it is considered that the scheme provides a good standard of amenity for future occupiers.

(F) Sustainable Construction -

ALP policy ECC SP2 requires all new 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 proposed reserved matters application makes no reference to energy efficiency or the use of renewable energies. However, there is a condition on the outline permission which seeks that at least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources. The separate approval of this condition will ensure that policy ECC SP2 of the Arun Local Plan is complied with.

(G) Provision of Homes Suitable for Older People -

ALP policy H DM1 states that during the plan period, a proportion of the housing provided should be of a type that meets the needs of older people. Furthermore that such housing could be provided as part of the general mix of one and two bedroomed homes but should be designed to meet the needs of older people.

There is also a condition on the outline permission which was imposed to reflect YNDP policy H3 and which states that: "25% of the 1, 2 and 3 bed dwellings included as part of the development must be delivered to Lifetime Home standards."

The proposal sets out that 8 houses and 4 flats will be designed to be compliant with Part M, Category 2 (Accessible & Adaptable Dwellings) of the Building Regulations 2010. The resulting percentage is only 23.5% but is considered to be close enough such that a refusal could not be sustained.

SUMMARY:

This report has demonstrated that despite the objections from residents that there are no materially harmful concerns with the proposed reserved matters scheme and that the application is in accordance with all development plan policies. It is therefore recommended that the planning permission be granted subject to the following additional conditions alongside those conditions already imposed on Y/5/17/OUT.

HUMAN RIGHTS ACT

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

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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

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

RECOMMENDATION

APPROVE CONDITIONALLY

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

- 19.14.P100 Rev A Location Plan;
- 19.14.P101 Rev X Site Layout Plan;
- 19.14.107 Services Plan 1 of 1;
- 19.14.107.1 Services Plan 1 of 2;
- 1973-TF-00-00-DR-L-1001 Rev P10 Landscape Proposals;
- 19.14.P401 Plots 1 & 2 Floor Plans;
- 19.14.P402 Plots 1 & 2 Elevations;
- 19.14.P403 Plots 3-4, 25-26 & 33-34 Plans and Elevations;
- 19.14.P404 Plot 5, 9 & 27 Plans and Elevations;
- 19.14.P405 Plots 6 & 31 Plans and Elevations;
- 19.14.P406 Plot 7-8 Plans and Elevations;
- 19.14.P407 Plots 10-11 & 48-49 Plans and Elevations;
- 19.14.P408 Plots 12-13, 17-18 & 19-20 Plans;
- 19.14.P409 Plots 12-13, 17-18 & 19-20 Elevations;
- 19.14.P410 Plots 14-16 Plans;
- 19.14.P411 Plots 14-16 Elevations;
- 19.14.P412 Plots 21-24 Plans & Elevations;
- 19.14.P414 Plots 28-29, 37-38 & 50-51 Plans & Elevations;

19.14.P415 Plot 30 Plans and Elevations;
 19.14.P416 Plots 32 Plans and Elevations;
 19.14.P417 Plots 39-46 GF & FF Plan;
 19.14.P418 Plots 39-46 Roof Plan;
 19.14.P419 Plots 39-46 Elevations;
 19.14.P420 Plots 35-36 Plans & Elevations;
 19.14.P421 Plot 47 Plans and Elevations;
 19.14.P102 Rev A Illustrative 3D scene;
 19.14.P103 Rev A Illustrative 3D scene;
 19.14.P104 Rev A Illustrative 3D scene;
 19.14.P105 Rev B Street Elevations;
 Cinders Lane Material Schedule Rev B;
 125.0003.006 Rev C Vehicle Tracking;
 125.0003.005 Rev D Refuse Vehicle Tracking;
 125.0003.004 Rev D Emergency Vehicle Tracking;
 020.0096.005 Rev P4 Site Access Road Visibility Splays and Forward Visibility;
 1973-TF-00-00-DR-L-3001 Detailed planting plan (1 of 9);
 1973-TF-00-00-DR-L-3002 Detailed planting plan (2 of 9);
 1973-TF-00-00-DR-L-3003 Detailed planting plan (3 of 9);
 1973-TF-00-00-DR-L-3004 Detailed planting plan (4 of 9);
 1973-TF-00-00-DR-L-3005 Detailed planting plan (5 of 9);
 1973-TF-00-00-DR-L-3006 Detailed planting plan (6 of 9);
 1973-TF-00-00-DR-L-3007 Detailed planting plan (7 of 9);
 1973-TF-00-00-DR-L-3008 Detailed planting plan (8 of 9); and
 1973-TF-00-00-DR-L-3009 Detailed planting plan (9 of 9).

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

- 2 All activity at the site is to be carried out in strict accordance with the Arboricultural Assessment & Method Statement ref 18209-AA4-CA (20/06/19) by Barrell Tree Consultancy and the Tree Protection Plan ref 18209-bt4.

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

- 3 No development shall commence on the site unless and until, a Pre-Commencement Site Meeting has taken place between the Arun DC Tree Officer and the Arboricultural Expert representing the site owners. At this meeting all protective fencing will be inspected along with ground protection measures - they will be assessed to verify that they are 'Fit for Purpose' as required under British Standard 5837:2012 and have been erected and positioned exactly as shown on the Tree Protection Plan ref 18209-bt4.

Reason: To comply with BS5837 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised and they can continue to enhance the landscape and provide amenity to the area - in accordance with Arun Local Plan policy ENV DM4. This is required to be a pre-commencement condition because it is necessary to ensure the protection of the existing trees and hedges to be retained trees prior to any change to the surface of the site.

- 4 No development above damp proof course (DPC) level shall take place unless and until a scheme has been submitted to and approved by the Local Planning Authority to show the

provision of bird and bat boxes within the site and also the provision of bat tiles and bat bricks. Thereafter, such new roosting opportunities shall be secured/provided prior to the occupation of any of the dwellings and thereafter maintained to the satisfaction of the Local Planning Authority.

Reason: To safeguard the ecology of the area, and in the interests of bats/birds to ensure that a habitat remains for them in accordance with policies ENV DM5 of the Arun Local Plan.

- 5 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas and vegetation types other than privately owned domestic gardens. The landscape management plan shall be implemented in accordance with the approved details.

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

- 6 No development above damp proof course (DPC) level shall take place until details of all new screen walls and fences have been submitted to and approved by the Local Planning Authority and no dwellings shall be occupied until such screen walls and/or fences associated with them have been erected.

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

- 7 No development above damp proof course (DPC) level shall take place until details of all of the proposed bin stores, sheds and cycle stores have been submitted to and approved by the Local Planning Authority and no house/flats shall be occupied until such sheds, cycle stores and bin stores associated with them have been erected.

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

- 8 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, details of the onsite children's LAP and LEAP playspace provision contained within the central area of public open space. The details shall include the:

- (a) location, layout, design of the playspaces; and
- (b) equipment/ features.

The LAP should be generally unequipped with natural features such as mounds/boulders, a seat and a bin. The LEAP should be equipped containing at least six play experiences, suitable surfacing and connecting pathways to ensure inclusive access.

The playspaces and the associated equipment/features shall be laid out and installed prior to the occupation of the thirtieth dwelling and permanently retained and maintained thereafter.

Reason: To secure the appropriate provision and design of the children's playspace as shown on the approved layout drawing in accordance with Arun Local Plan policy OSR DM1.

- 9 None of the dwellings hereby approved shall be occupied unless and until full details of the foul water pumping station's design, including elevations and floor plans, if required, have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the foul water pumping station shall be constructed in accordance with the agreed details prior to the completion of the development.

Reason: In the interests of visual amenity in accordance with Policies D SP1 and D DM1 of the Arun Local Plan.

- 10 Notwithstanding the provisions of Schedule 2, Part 2, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting this Order) no fences, walls, gates or other means of enclosure (other than those specified on the approved plans) shall be erected on land forward of the primary or side elevations of the dwellings, unless permission is granted by the Local Planning Authority on an application in that behalf.

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

- 11 Notwithstanding the provisions of Schedule 2, Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting this Order) no hardstanding (other than that specified on the approved plans) shall be created on land forward of the principal or side elevations of the dwellings, unless permission is granted by the Local Planning Authority on an application in that behalf.

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

- 12 The garages and car parking spaces hereby approved on this development shall not be used for any purpose other than the parking of vehicles 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.

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

- 14 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.

- 15 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no front or roof extensions/alterations to any of the dwelling houses shall be constructed unless permission is granted by the Local Planning Authority on an application in that behalf.

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

- 16 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no rear extensions to plot 32 shall be constructed or buildings shall be erected within the curtilage of the same plots unless permission is granted by the Local

Planning Authority on an application in that behalf.

Reason: To safeguard the amenity of adjoining occupiers, maintain adequate private amenity space and safeguard the cohesive appearance of the development in accordance with policies D DM1 and D SP1 of the Arun Local Plan.

- 17 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.
- 18 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 21/06/19) as available on the Councils website.
- 19 INFORMATIVE: All precautions must be taken to avoid discharges and spills to the ground both during and after construction. For advice on pollution prevention measures, the applicant should refer to the Environment Agency guidance note PPG 1 "General Guide to the Prevention of Pollution" which can be found on the GOV.UK website using the following link: <https://www.gov.uk/government/publications/basic-good-environmental-practices-ppg1-prevent-pollution>. In the event of a pollution incident, all works should cease immediately and the Environment Agency should be contacted via the incident hotline 0800 80 70 60 (24-hour service).
- 20 INFORMATIVE: Please note that this development may require an environmental permit, a variation of an existing permit or an exception from an environmental permit from the Environment Agency. Further information can be found on the gov.uk website - www.gov.uk/topic/environmental-management/environmental-permits or www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits. The Applicant must ensure that the operations at the site are in accordance with the Environmental Permitting (England and Wales) Regulations 2016. The Applicant is advised to contact the National Customer Contact Centre on 03708 506 506 (Monday to Friday 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk. Please note that the need for an environmental permit is separate to the need for planning permission. The granting of planning permission does not necessarily lead to the granting of a permit.
- 21 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.
- 22 INFORMATIVE: Should any protected species or evidence of any protected species be found prior to or during the development, all works must stop immediately and an ecological consultant or Chichester District Council's ecologist contacted for further advice before works can proceed. All contractors working on site should be made aware of this advice and provided with the contact details of a relevant ecological consultant.
- 23 INFORMATIVE: The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information please contact the Environmental Health Department on 01903 737500.

- 24 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read the New Connections Services Charging Arrangements documents which is available to read on the SW website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.