

Recommendation Report for Approval of Reserved Matters Following Outline Approval

REF NO: Y/63/19/RES

LOCATION: Bonhams Field
Main Road
Yapton
BN18 0DX

PROPOSAL: Approval of reserved matters following the grant of Y/1/17/OUT for 56 No. dwellings with associated open space & creation of new access. This application affects the character & appearance of the Yapton (Main Road) Conservation Area & affects the setting of listed buildings.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Reserved matters approval for 56 dwellings with associated parking, road/footway provision, open space, landscaping and ancillary works. Approval of scale, layout, external appearance and landscaping are sought. Although the creation of a new access is listed in the description and on the submitted application form, this has been approved at the outline stage. The scheme includes a mix of 1, 2, 3 & 4 bed houses plus a couple of 1 bedroom flats. The mix is shown on the submitted "Schedule of Accommodation" (Rev H) which details maximum occupancy levels, tenure and internal floor space. Sixteen dwellings will be affordable with a mix of Affordable Rented (8) and Shared Ownership (8). These are located in two parts of the layout but in a roughly central position. Plots 48-56 will be compliant with M4(2) of Building Regulations therefore being accessible and adaptable to all requirements. Parking provision is mixed with garages, driveways, parking courts & on-street spaces. The total provision is 119 spaces which consists of 15.5 garage spaces (31 divided by 2 as per the Parking Standards SPD), 31 driveway spaces and 78 other spaces. All garage spaces are at least 6m by 3m. The houses and the single flatted building are all two storeys but plots 42-56 are accommodated in two single storey buildings on the eastern side of the site, adjoining the Conservation Area. There is no roof level accommodation other than plots 11 & 14 which have part of the first floor accommodation set into the roof. Separate bicycle stores are shown for all plots not benefitting from a garage and there is a shared bicycle/bin store building for plots 6 & 7. No other bin store/storage spaces are shown and there are no details as to
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the appearance of such cycle stores but there is a condition on the outline permission requiring separate approval of these details.

The access from Yapton Road and the access road into the site have a pedestrian footpath on both sides (albeit only part the way into the site on the eastern side as the path detours from the road edge through the public open space). There is safeguarded provision in the north east corner for a future footpath access onto the adjacent track and in turn then into the adjoining Stakers Farm development (which benefits from outline permission but does not have a reserved matters permission).

The layout includes public open space (POS) located along the southern boundary of the site (wrapping around the Grade II listed Elm Barn & Bonhams House) and including the very south western corner of the site which lies in the Conservation Area. This open space will be planted with a mix of species including fruit trees and will include the required Local Area for Play (LAP). The layout also includes buffer planting to the north western and south eastern boundaries.

The application includes a comprehensive hard & soft landscaping scheme which includes new trees, new shrubs, hedges, wildflower planting, bulb planting and grassed areas. The hard landscaping refers to new block paving (3 different types), concrete sett rumble strips, flag paving, tarmac and loose gravel. The scheme also indicates the position of hard boundary treatments (1.8m timber fencing, brick walls, heritage brick walls, retaining walls with brick piers, parkland railing & 1.2m timber knee rails) but there are no details provided for how these will appear and this will be sought by condition. The landscape scheme shows bird & bat boxes.

SITE AREA	3.2 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	17.5 dwellings per hectare.
TOPOGRAPHY	Predominantly flat, but rises gently in a north/north-easterly direction from Yapton Road.
TREES	There are relatively few trees of moderate to high value, the vast majority of which are confined to the site perimeter and outside of the site. An off-site Oak tree overhanging the parking court to the rear of plots 4-7 is now subject to a provisional Tree Preservation Order.
BOUNDARY TREATMENT	The north and west boundaries are defined by established hedgerow and mature trees. Where it meets Main Road, the western boundary also lies adjacent to an existing row of cottages. Several mature trees line the eastern boundary also, together with a flint wall which forms the boundary of the Main Road Conservation Area. Beyond the flint wall lies a row of

properties along North End Road. To the south, the boundary is formed of a combination of fencing and low stone walls at the point where it runs along Main Road. Bonhams Farm complex lies to the south of the site, but north of Main Road, and is contained by a flint wall that runs along the application boundary here.

SITE CHARACTERISTICS

The site comprises an agricultural field utilised for grazing and is located in open countryside, but immediately abuts the western edge of the Settlement Boundary of Yapton and the Main Road Conservation Area. The site wraps around Bonhams House and Elms Barn; a residential barn conversion, these properties do not form part of the proposed site.

CHARACTER OF LOCALITY

The site is just outside the settlement boundary of Yapton village. To the east on the corner of North End Road, there is the former Olive Branch public house which has been converted to residential use. Properties on the west site of North End Lane back on to the proposed site. The site is set within an area that has an open character with a mix of large properties in large plots and smaller terraced properties located along Main Road. Residential development is located along the length of North End Road to the east, and along either side of Main Road to the south and west of the site. An established hedgerow runs from north to south towards the eastern end of the site.

Main Road serves the village and runs south of the site. The wider village is rural in character, but benefits from GP surgeries and pharmacy, two churches, a village hall and playing fields, Yapton Church of England Primary School, a pub and a small selection of shops (including post office and local convenience store). Barnham railway station is located 2 miles to the west and a regular bus service serves the village.

The site has houses backing onto it along the south eastern, southern and western boundaries.

RELEVANT SITE HISTORY

Y/1/17/OUT	Outline Application with some matters reserved for the erection of 56 No. dwellings with associated open space and creation of new access. This application is a Departure from the Development plan & affects the character & appearance of the Yapton (Main Road) Conservation Area.	App Cond with S106 07-12-17
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The following conditions imposed by the Outline permission set parameters for how the reserved matters application was to be drawn up and delivered:

(4) The reserved matters to be submitted pursuant to Condition 1 shall be substantially in accordance with drawing number SK05 Rev B, and the Design and Access Statement dated December 2016.

(6) The landscaping and layout particulars to be submitted in accordance with Condition 1 shall include:

- Details of all existing trees and hedgerows on the land, showing which are to be retained and which removed;
- Details of the positions, height, design, materials and type of boundary treatment to be provided;
- Details of any proposed alterations in existing ground levels and of the position of any proposed excavation, within the crown spread of any retained tree;
- The detailed landscape design for the development including layout and design of the public realm within the development; and
- Details of surfacing, lighting and signage of all footpaths, cycle routes and phasing plan for their provision.

(10) There is a requirement that 25% of 1, 2 and 3 bed dwellings included as part of the development must be delivered to Lifetime Home standards.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Yapton Parish Council

Yapton Parish Council

PARISH COUNCIL:

State SUPPORT conditional on the following points:

(1) All materials to be sympathetic with the immediate built environment found within the conservation area, especially key features such as windows, porches, brickwork and cladding. This is to ensure that this prominent and very visible site reflects Yapton's historical vernacular and agricultural heritage.

(2) Sympathetic treatment of plots 36-41 to enhance the listed buildings backdrop rather than detract through careful use of materials etc.

(3) A condition to ensure that plots 42-56 are prioritised to older occupiers to help generate the recycling of existing housing stock within the village.

(4) Request that fruit tree varieties local to Sussex are used and that a landscape management plan is implemented to ensure good maintenance of all new trees and planting within the scheme for at least the first 5 years from occupation of the last dwelling.

(5) Request a condition to ensure that after the occupation of the last dwelling on the estate, no garage can be converted to ancillary residential accommodation for the first 5 years of the estate's life. This will ensure that landscaping will become established rather than being eroded by excessive parking.

(6) Request a condition to ensure that the safeguarded footpath area remains in place for the benefit of the future proposed community green link-way.

LOCAL RESIDENTS:

Thirty-three letters of objection (from 8 writers) raising the following material planning considerations:

- (a) Site is contrary to the Development Plan due to countryside development and agricultural land;
- (b) Harm to Listed Buildings & their setting;
- (c) Out of Character;
- (d) Design doesn't consider local architectural features inc flint, tile hanging;
- (e) Too much red brick/red tile;
- (f) Plots 27-29 & 30-32 are a typical cul-de-sac and not appropriate here;
- (g) Plots 1-3 should be omitted to leave an open area;
- (h) National Design Guide not considered;
- (i) Layout is different to and inferior to that shown by Y/1/17/OUT;
- (j) Need homes suitable for elderly/infirm residents;
- (k) Visitor parking not defined;
- (l) Insufficient parking provision - will lead to parking in the open space area;
- (m) No details of levels;
- (n) Insufficient detail of landscaping;
- (o) Planted buffer was greater on the previous scheme;
- (p) Who will look after the planted areas;
- (q) Noise disturbance to adjacent residents from building noise;
- (r) Overbearing & overlooking impacts of plots 36-41 to Elm Barn/Bonhams House due to proximity & ground level;
- (s) Light pollution;
- (t) Decision should be subject to the Committee;
- (u) No drainage strategy despite fact that there is flooding at the adjacent listed barn; and
- (v) No consideration of NPPF section 9.

CONSERVATION AREA ADVISORY COMMITTEE (CAAC)

Objection for the loss of the open space at the front of the site and harm from plots 1-3 to the adjacent listed & non-listed buildings. Design is fairly standard and need more attention to detailing & materials. The overall scheme is too estate like and harmful to the character & appearance of the Conservation Area.

COMMENTS ON REPRESENTATIONS RECEIVED:

PARISH COUNCIL:

(1) & (2) a materials condition will be imposed requiring post approval of samples of the materials to be used plus the windows/door details to plots 1-7, 19-21 & 36-41 (these being those that are in the setting of the two listed buildings).

(3) It is not possible to impose a condition to this effect and it is not appropriate at the Reserved Matters stage to require that this be made part of a new legal agreement. However, these plots will clearly be suitable to the needs of older occupiers and in particular, plots 48-56 will be made compliant with M4(2) of Building Regulations therefore being accessible and adaptable to all requirements.

(4) The landscaping scheme includes a specification for the orchard planting and includes species native to Sussex. The associated Planting Plan drawing also sets out a maintenance regime whilst condition 9 on the Outline permission requires that any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, are replaced in the next planting season with others of similar size and species.

(5) A condition will be imposed to remove permitted development rights for garage conversions.

(6) The space is shown as amenity planting and will be maintained as such in accordance with the landscaping scheme. A condition will however be imposed to safeguard this area also.

LOCAL RESIDENTS:

Items (b), (c), (d), (h), (i), (r) and (v) are discussed in the conclusions section. The following comments are made in respect of the other objections.

(a) The site benefits from an outline planning permission which established the principle of development in the countryside and on agricultural land therefore this cannot be reconsidered;

(e) Materials will be subject to condition thus allowing the Local Planning Authority control of the types of brick and potentially the use of flint and hanging tiles.

(f) It is not considered that a cul-de-sac arrangement is inappropriate in principle particularly as this one will not be visible from external public viewpoints;

(g) Noted however, if these were omitted as per the outline indicative sketch scheme then it would likely then be necessary to have houses closer to the north eastern boundary of Elm Barn & Bonhams House. Also, then the public open space would be fragmented;

(j) Plots 48-56 will be designed to be accessible and adaptable for the needs of such people;

(k) & (l) Visitor spaces are defined on drawing P106 Rev K. The parking provision exceeds the required standard;

(m) A levels plan has been provided;

(n) There are now sufficiently detailed landscape plans;

(o) It is not considered that the planted buffer is significantly different to that shown on the previous indicative sketch scheme;

(p) These will be subject to a maintenance arrangement to be carried out either by a private company or by the Council;

(q) The effects of construction will only be temporary in nature. There is a Construction Management Plan condition imposed on the Outline permission which will require details to be approved and will ensure that construction limits impacts on neighbours. An hours of working condition is also being imposed to protect the amenity of residents;

(s) Lighting is controlled by a condition on the Outline permission and as such, the Local Planning Authority will be able to control such details;

(t) The decision is being made under delegated powers in accordance with the Councils Scheme of Delegation as set out in the Constitution; and

(u) Drainage is covered by planning conditions imposed on the Outline permission. As such, this will be considered separately.

CAAC

These matters will be considered in the report's conclusions.

CONSULTATIONS

Southern Water Planning

Conservation Officer

Highways England

WSCC Strategic Planning

Environment Agency
Natural England
Surface Water Drainage Team
Environmental Health
Parks and Landscapes
Arboriculturist
Planning and Housing Strategy
Sussex Police-Community Safety
NHS Coastal West Sussex CCG
Engineering Services Manager
Engineers (Drainage)
Archaeology Advisor
Ecology Advisor

CONSULTATION RESPONSES RECEIVED:

NATURAL ENGLAND - No comments.

HIGHWAYS ENGLAND - No objection.

SOUTHERN WATER - No objections subject to a condition to ensure that the dwellings are phased and implemented to accord with the reinforcement of the foul network by Southern Water.

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

WSCC HIGHWAYS - No objections. Accept car & cycle parking and vehicle tracking. State that visitor parking spaces should be better distributed through the layout, that a condition should be used to ensure the footpath connectivity to Stakers Farm and that electric vehicle parking needs to be shown.

ADC ECOLOGIST - Require a reptile mitigation strategy and a lighting scheme to take account of the presence of bats.

ADC DRAINAGE ENGINEER - Object as no details of site drainage and this relates to the approval of layout. Require winter groundwater monitoring to inform the drainage design process.

ADC LANDSCAPE OFFICER - Object to loss of the green corridor from the eastern side of the site (as compared to the outline indicative sketch scheme). Do agree that the public open space allowance to the south of the layout is improved but that the loss of open space from the eastern side of the site is detrimental to the scheme. Consider there are be gaps on the level of detail in the planting plans and also no detail on the proposed LAP.

ADC ENVIRONMENTAL HEALTH - No objection subject to a condition to secure electric vehicle charge points.

ADC TREE OFFICER - Is able to recommend approval subject to conditions to require the development to proceed in accordance with the submitted documentation, to require a pre-commencement site meeting and to ensure that any tree pruning meets the requirements of BS3998:2010.

ADC CONSERVATION OFFICER - State that the proposal is such that the impact can be described as causing less than substantial harm in accordance with paragraph 196 of the NPPF (2018). As such, 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:

- In the adjoining Conservation Area, there is a wide variety in the age and style of buildings. Most are two-storey in brick and flint or stucco, and these, together with natural slate or plain clay tiles for the roofs, are the predominant materials in the area.
 - The contrast between road fronted development and large residences, set in their own grounds, also contributes to the special character of the area.
 - Boundary walling, mainly in flint, and mature landscaping enhance the street scenes and are important features which contribute to the rural character of the Conservation Area.
 - Chimneys are also important features on the skyline.
 - The adjacent Listed Buildings (Elm Barn & Bonhams House) are attractive and important features at the entrance to the village from the west.
 - The location of the development at the entrance to both the village and the conservation area, along with a significant number of heritage assets (designated and non-designated heritage assets) means that development in this site will be fully visible.
 - The current application appears to be a revision to the indicative layout and house types considered at the outline application stage. It consists of a mixture of more standard housing types that have been taken from a typical development which is unfortunate, as there is a great opportunity to provide for a high-quality development reflecting the local character of the village.
 - The current proposal maintains the open space around two of the closest listed buildings, which is positive.
 - This open space should be carefully landscaped with mature trees in order to ensure that the impact on the setting of the heritage assets is minimised and such trees should be of relevance to the local area.
 - Whilst the site plan contains a mixture of detached and terraced houses, the dominant house type appears to be that of detached and the presence of so many detached houses creates the feeling of a modern housing estate, as opposed to one of a small village extension. This is unfortunate and is out of character, especially with the closest buildings to the site which are a mixture of terraced, semi-detached and detached homes.
 - It is not fully clear how the elevations proposed reflect the older more characterful properties within the village, and in fact the part of the conservation area which is located closest to the development site.
 - For instance, plots 36-41 are essentially modern terraced houses, that could be built anywhere. However, it is noted that they have brick elevations with a clay effect roof, which if constructed using appropriate materials, could be more acceptable.
 - The use of traditional materials would also help to soften the impact of the building.
 - Details such as the style of windows and ensuring that they are set back from the elevations will improve the appearance of the buildings.
 - The street-scene provided for this element of the scheme indicates that the properties would be visible from the main road, the conservation area and the listed buildings. Their size, and height, when compared to the listed buildings, will mean that they would appear to be somewhat larger than some of these assets. This is unfortunate and harmful to the settings of the listed buildings.
- The provision of a number of trees in the open space will reduce the impact of these units, but it is thought that they will still remain fairly dominant in the street-scene, and remains unfortunate and harmful.

COMMENTS ON CONSULTATION RESPONSES:

SOUTHERN WATER

The condition that Southern Water request is already on the outline permission.

WSCC HIGHWAYS

The request for a better spread of visitor parking spaces has been actioned and is shown on drawing P106 Rev K. A condition has been imposed to safeguard the footpath link.

ADC TREE OFFICER

The Tree Officer requests that a pre-commencement site visit condition be imposed. A similar condition was imposed on the Outline permission and it would not be appropriate to impose a new one.

ADC DRAINAGE

The applicant has been made aware that if this layout is approved without the winter monitoring groundwater data and if it subsequently becomes clear the drainage condition cannot be agreed due to the layout not providing sufficient space then they will need to submit a new Reserved Matters application as the Local Planning Authority would not be able to agree such changes through the Non Material Amendment process. As such, the reserved matters application can be determined without the drainage information and despite the objection of drainage engineers.

ADC ENVIRONMENTAL HEALTH

The applicant shows 23 electric vehicle spaces on one of the drawings. The number shown is not sufficient to comply with the standards set out in the Arun Parking Standards SPD and there are no details as to what form the charging point will take. The requirement is 1 space per driveway space in front of a garage (so 31) plus 20% of the other parking spaces (so 15-16) a total of 46-47. Therefore a condition is to be imposed to require subsequent approval of these details.

ADC LANDSCAPE

The Landscape Officer refers to the public open space/buffer area on the eastern boundary as shown on the previous indicative scheme. The previous indicative layout showed a very narrow strip along the eastern boundary which is not significantly larger than that now shown. The parameters plan submitted at Outline stage referred to by condition 4 on the Outline (which requires the scheme be in accordance with this plan) showed no such space along this boundary.

The Section 106 Legal Agreement requires separate approval of the detail of the LAP play area therefore it is not appropriate to require such details at this time.

ADC ECOLOGY

Lighting is covered by the discharge of condition 23 on the Outline permission. Reptile mitigation is covered by the discharge of condition 7 and although a strategy was subsequently provided, it will be subject to a separate approval process. The Ecologist subsequently advised they were happy that this will be subject to the separate discharge of condition process.

POLICY CONTEXT

Designations applicable to site:

Flood Zone 1;

Part Conservation Area (the very south eastern corner);
 Area of Special Control of Adverts;
 Tree Preservation Order ref TPO/Y/1/20;
 Adjacent to three Grade II Listed Buildings; and
 Lidsey Drainage Catchment Area.

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

AHSP2	AH SP2 Affordable Housing
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
GISP1	GI SP1 Green Infrastructure and Development
HDM1	H DM1 Housing mix
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment
HSP1	HSP1 Housing allocation the housing requirement
HWBSP1	HWB SP1 Health and Wellbeing
INFSP1	INF SP1 Infrastructure provision and implementation
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
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP1A	SD SP1a Strategic Approach
TDM1	T DM1 Sustainable Travel and Public Rights of Way
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management

Yapton neighbourhood plan 2014 Policy BB1

Yapton neighbourhood plan 2014 Policy H2

Yapton neighbourhood plan 2014 Policy H3

Yapton neighbourhood plan 2014 Policy SA1

Built-up Area Boundary

Dwelling size

Dwellings appropriate for the needs of older people

Land north of Yapton CE Primary School

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 E3	Protection of natural habitats
Yapton neighbourhood plan 2014 Policy E4	Minimising the environmental impact of development
Yapton neighbourhood plan 2014 Policy E5	Enhancement of biodiversity
Yapton neighbourhood plan 2014 Policy E6	Green infrastructure and development
Yapton neighbourhood plan 2014 Policy E8	Conservation Areas
Yapton neighbourhood plan 2014 Policy E9	Listed Buildings and Buildings or Structures of Character
Yapton neighbourhood plan 2014 Policy E11	Minimising the impact of flooding from development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD12	Open Space, Playing Pitches & Indoor & Built Sports Facilities
SPD2	Conservation Areas

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.

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 nearby heritage assets, the existing trees of amenity value or the amenities of existing residents.

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 56 dwellings with access from Yapton Road has been established by Y/1/17/OUT which was approved in December 2017. It is only necessary to consider the outstanding details - layout, appearance, landscaping and scale. 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 56 new dwellings connecting to the network), children's play and infrastructure are all outline issues. The principle of development close to heritage assets has already been accepted.

COMPLIANCE WITH OUTLINE CONDITIONS

Condition (4) required the reserved matters layout be substantially in accordance with drawing SK05 Rev B ("Parameters Plan") and the previous Design & Access Statement (D&A). The parameters plan is significantly different to the indicative sketch layout (SK02 Rev K) which has been referred to by residents and consultees and therefore, the condition could not be adhered to if the layout was to relate instead to the sketch layout drawing. The layout is broadly the same as this plan and there are similarities with the content of the D&A. In particular that the latter states the houses on the west of the site will be predominantly brick with some painted brick and render (i.e. no flint) and that the single storey buildings on the east side will feature flint. There is a difference in that the D&A states that parking to the fronts of houses will be avoided and it has not been possible to completely achieve this.

Condition (6) set out the requirements of the landscaping scheme and the required level of detail has been provided. The exception is there is no lighting shown however, this is covered by condition 23 of the Outline and will be subject to a separate approval.

Condition (10) 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. The application states 9 of the single storey dwellings will be compliant and this is less than the requirement (25% in this case being 11.25). There is some conflict with the condition and the policy H3 of the Yapton Neighbourhood Development Plan. However, although the other single storey dwellings are not to be specially adapted, they will be suitable for those with mobility issues and therefore, the response to the condition is appropriate.

HERITAGE:

The site lies part within the Yapton Conservation Area and is also part affecting the setting of the three nearby Grade II Listed Buildings.

Relevant Arun Local Plan (ALP) policies are HER DM1 (Listed Buildings) and HER DM3 (Conservation Areas). HER DM1 requires that proposals protect and, where possible, enhance the setting of Listed Buildings. Policy HER DM3 lists criteria for proposals affecting the setting of a Conservation Area. The

relevant criteria are as follows:

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

Yapton Neighbourhood Development Plan (YNDP) policy E8 requires developments either preserve or enhance the character of Conservation Areas. In addition, development proposals will be expected to be suitably designed taking account of the local character/context and use traditional/vernacular building materials. YNDP Policy E9 refers to 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." Section 72 states: "In the exercise, with respect to any buildings or other land in a conservation area, of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

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).

The applicant has provided a Heritage Statement which provides information in accordance with the relevant paragraphs of the NPPF 2019 described above. The Statement concludes the proposal is acceptable subject to consideration of measures to limit impacts through screening, materials, design, retention of boundaries and site layout.

The Conservation Officer has assessed the proposal (comments are set out in full on the Council's website and summarised elsewhere in this report). The Conservation Officer considers the proposal results in some harm but the level is less than substantial. Therefore, para 196 of the NPPF is brought into play. This states: "this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use".

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.

It is considered the proposal results in the following public benefits and these are such that the less than substantial harm is overcome.

- Provide new housing suitable for families, couples & older people with associated moderate social & economic benefits to the local area;
- Provide new public open space and a play area accessible to existing village residents;
- Provide new orchard trees which may be picked by residents; and
- Provide part of potential future footpath link which will serve as an alternative to using North End Road.

The scheme has been designed to mitigate some of the harm to heritage assets by showing public open space in the part of the site designated as Conservation Area and situated between two of the three listed buildings, barn style buildings & their large gardens on the side of the site bordering the boundary with the rest of the Conservation Area, a large area of public open space with native tree planting between two of the listed buildings & the new houses and a mix of materials/building designs. The Council can control the precise mix of materials through the condition discharge process.

It is not considered that the third party concerns regarding harm to the Conservation Area or listed buildings are such that the scheme needs to be changed or the application refused.

The proposal will have some affect on the setting of the Listed Buildings and some impact on the character/appearance of the Conservation Area but some impact is expected given that permission has been given for the site to be developed. The proposal complies with guidance in the NPPF, ALP policies HER DM1 & HER DM3 and YNDP policies E8 & 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 also 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 emerging Design Guide currently subject to consultation (ending 21/02/20) which can only be attributed relatively low weight at this time. The National Design Guide has full weight as a material consideration in the determination of this application. This states 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 proposed layout reflects the SK05 Rev B "Parameters Plan" submitted at Outline stage as required by Condition 4 on the Outline. Anything significantly different to that drawing would be in breach of the condition. The layout is positive with a large usable area of public open space providing a landscaped buffer to adjacent listed buildings and avoiding the need for built development in the part of the site affected by the Conservation Area. The single storey buildings on the eastern side minimise any harm to the adjacent Conservation Area and to the residential properties along this boundary.

Other houses are a maximum of two storeys and streetscenes are mixed with some houses having front parking and some with parking in separate parking courts which are subject to natural surveillance. All houses have green front garden or buffer strip areas and the layout is open plan with only hedges shown as front boundaries.

Streetscenes are further mixed by building lines, house types, sizes, roof designs, materials and other detailing. The materials palette is based around brick but flint, timber boarding and tile hanging are shown and there is a mix of roof colours. Exact materials will be controlled by condition. Landscaping is shown in the streetscenes. The layout is quite spacious with plenty of large houses and garden areas and this is reflected by the low site density. Plot 1 on the Yapton Road frontage has been orientated to face onto the road to establish a new frontage.

The applicant has provided a written response to the National Design Guide which states the design of the development complies with local and central government design policies and has evolved out of a clear understanding of the character of the surrounding area.

Third party concerns regarding character, use of local materials, reference to the National Design Guide and relationship to the outline layout are such that the scheme needs to be changed or permission refused.

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 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.

The application is accompanied by a Landscape General Arrangement drawing and a Planting Plan drawing. These show a good number of trees as well as other planting with a particular emphasis on the public open space and the area of that between plots 36-41 and the listed buildings.

Hard surfacing treatments are varied and a mix of boundary treatments are proposed. Protection measures are proposed to trees to be retained. The Tree Officer has withdrawn an objection following receipt of an updated Arboricultural Impact Assessment which is more sympathetic to existing trees.

Although there is an objection from the Council's Landscape Officer, this is not considered to have sufficient weight to require changes to the scheme or to have the application refused. It is therefore considered that the scheme is in accordance 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 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:

- 4 x 1 bed dwellings (7%);
- 22 x 2-bed dwellings (39%);
- 19 x 3-bed dwellings (34%);
- 11 x 4-bed dwellings (20%).

The applicant considers that the development provides a balanced range of dwelling sizes and types as required by the policy, from 1 to 4 bed houses, flats and bungalows and including detached, semi-detached and terraced properties.

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 (so 5.6 - 8.4);
- 2-bed dwellings: 25-35% of all dwellings (so 14 - 19.6);
- 3-bed dwellings: 45-55% of all dwellings (so 25.2 - 30.8); and
- 4+ bed dwellings: 5-10% of all dwellings (so 2.8 - 5.6).

The number of 1-bed dwellings are in the range set out by YNDP policy H2 but the rest are substantially different. However, the range is in accordance with the advice in the SHMA and this is the more up to date document. The mix is acceptable and whilst not in accordance with YNDP policy H2, is appropriate as per ALP policy H DM1.

(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 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.

Residents have concerns regarding the overbearing nature of plots 46-41 and potential overlooking. It is necessary to consider the impact of new dwellings on other adjoining residential properties.

The Council has an emerging Design Guide (currently subject to consultation ending 21/02/20) which can only be attributed relatively low weight at this time. The Design Guide sets out required separation distances between habitable rooms and 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 shows a distance of 26m (at the closest point) between the cottage associated with Elm Barn (The Byre) and a greater distance to the flanks of Elm Barn (46m) and Bonhams House (50m). Notwithstanding the change in ground levels (plots 38-41 will have a FFL of 6.5m compared to a ground level of 6.13 at the boundary with Elm Barn), the distances are considered acceptable and along with the proposed tree planting will effectively minimise any harm from overlooking.

The eastern boundary of the site has only single storey accommodation at least 30m from the nearest existing dwellings which is acceptable. On the opposite side of the site, some of the new plots may offer some overlooking of the rear garden of Denzil however, these plots have acceptable garden distances as discussed elsewhere in this report and the interface distances set out above only seek to protect habitable rooms not garden spaces. Plot 1 faces the flank of Denzil but at a distance of 15.5m which is acceptable. The distances shown between dwellings in the layout meet the standards.

All of the 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.

A local resident has stated that the scheme does not consider section 9 of the NPPF. This part of the NPPF considers transport in general and the scheme does consider much of the guidance presented in that the scheme has been assessed by WSCC Highways to ensure there is sufficient space for movement, tracking of larger vehicles and storage of bicycles. WSCC Highways raised no objections.

The scheme safeguards an area of land on the northern boundary for future use as a link to the adjacent private access track. This could, with an agreement from the owner of the track to allow access across it, enable pedestrian access from/to the residential development permitted at Stakers Farm and could then form part of a wider pedestrian route running to the west of North End Road.

In terms of parking, the requirement according to the SPD is 119 spaces and the proposal is for 124.5 spaces. This includes 31 garages but as per the SPD these are treated as half a space each hence the half a space in the total provision. Car parking provision is acceptable. Cycle parking would be resolved later through the condition discharge process.

It is considered the proposal accords with ALP policies T SP1, T DM1 and with the Parking Standards SPD.

(D) Surface Water Drainage -

ALP policy W DM3 (Sustainable Urban Drainage Systems) states: "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.

The applicant has not been willing to provide the winter groundwater monitoring data to enable the Council's drainage engineers to consider drainage requirements. The applicant is confident their layout will work with the drainage requirements. Drainage is to be agreed through discharge of conditions on the outline permission and it is acceptable to allow this scheme despite there being no certainty that the drainage can be accommodated. The applicant has been made aware that if this layout is approved and it becomes clear that the drainage condition cannot be agreed due to the layout not providing sufficient space they will need to submit a new Reserved Matters application as the Local Planning Authority would not be able to agree such changes through the Non Material Amendment process.

On this basis, there is no conflict with the Council's drainage policies.

(E) 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 Government's Technical Housing Standards (Nationally Described Space Standard) to determine if the buildings are suitable for residential use.

The applicant has provided a schedule which demonstrates that 79% of the scheme meets the standards. The exceptions are 3 two storey, 2 bed, 4 person houses which are 1.4m² short; and 3 9 two storey, 2 bed, 4 person houses which are 4.28m² short. The policy states the national standards provide

guidance therefore, there is no requirement to comply exactly. The shortfall is not so significant as to justify a refusal on these grounds. All affordable dwellings are in accordance with the standards.

Paragraph 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, 50sqm area for two-bedroom homes and 60sqm area for three or more bedroom homes;
- 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.

There are 2 flats in the scheme in a maisonette arrangement with a decent amount of shared garden around the building. The houses are all have adequate garden spaces but some (5, 18, 22, 38-41, 46-49, 54-56) would only just meet the standards and so these will have their permitted development rights for extensions and outbuildings removed to conserve garden space.

The scheme provides a good standard of amenity for future occupiers.

(F) Sustainable Construction -

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 states the development will be constructed to the standard required by Part L of the Building Regulations in terms of energy performance and in addition, elements of the scheme will be designed to incorporate energy saving modes (e.g. solar lighting) and the layout, building orientation, massing and landscaping all lend themselves well to minimise energy consumption. No details are supplied to support these statements and it is necessary to impose a condition requiring approval of details. On that basis, the proposal will comply with policy ECC SP2.

SUMMARY:

This report demonstrates that despite objections from residents there are no materially harmful concerns with the reserved matters scheme and the application accords with development plan policies. It is recommended that the permission be granted subject to the following additional conditions alongside conditions imposed on Y/1/17/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:

18076-S101 Rev A "Location Plan";
 18076-P106 Rev K "Proposed Site Plan (M4 (2) & Affordable Housing)";
 18076-P102 Rev V "Proposed Site Plan";
 18076-C101 Rev H "Coloured Site Layout";
 18076-P108 Rev B "Proposed Site Plan (Materials)";
 1410 Rev B "Site Layout - Proposed Levels";
 1001 Rev E "Site Layout Refuse Vehicle Tracking";
 1002 Rev B "Fire Appliance Vehicle Tracking";
 1003 "Road Long Sections";
 18076-P110 Rev B "Plot 1 Proposed Plans & Elevations";
 18076-P132 Rev C "Plot 2 Proposed Plans & Elevations";
 18076-P134 Rev A "Plot 3 Proposed Plans & Elevations";
 18076-P117 Rev B "Plots 4-7 Proposed Plans & Elevations";
 18076-P115 Rev A "Plots 8, 9 & 10 Proposed Plans & Elevations";
 18076-P114 Rev B "Plots 11 & 14 Proposed Plans & Elevations";
 18076-P129 Rev C "Plot 12 Proposed Plans & Elevations";
 18076-P126 Rev B "Plot 13 Proposed Plans & Elevations";
 18076-P131 Rev A "Plots 15 & 25 Proposed Plans & Elevations";
 18076-P113 Rev A "Plots 16, 17 & 18 Proposed Plans & Elevations";
 18076-P135 Rev A "Plot 19 Proposed Plans & Elevations";
 18076-P133 Rev A "Plots 20 & 21 Proposed Plans & Elevations";
 18076-P118 Rev C "Plots 22-24 "Proposed Plans and Elevations";
 18076-P116 Rev B "Plots 26 & 27 Proposed Plans & Elevations";
 18076-P111 Rev C "Plots 28, 29 & 31 (31 handed) Proposed Plans & Elevations";
 18076-P112 Rev B "Plot 30 Proposed Plans & Elevations";

18076-P130 Rev B "Plot 32 Proposed Plans & Elevations";
 18076-P119 Rev C "Plots 33, 34, 35 Proposed Plans & Elevations";
 18076-P120 Rev C "Plots 36 & 37 Proposed Plans & Elevations";
 18076-P121 Rev C "Plots 38-41 Proposed Plans & Elevations";
 18076-P122 Rev A "Plots 42-47 Proposed Plans";
 18076-P123 Rev B "Plots 42-47 Proposed Elevations";
 18076-P124 Rev B "Plots 48 to 56 Proposed Plans";
 18076-P125 Rev C "Plots 48-56 Proposed Elevations";
 18076-P128 Rev A "Proposed Double Garage (Plots 26 & 27)";
 18076-P127 "Refuse and Bicycle Store (Plots 6-7)";
 18076-C104 "Coloured Perspective Views";
 18076-C103 Rev D "Coloured Street Elevations";
 18076-C102 Rev E "Coloured Street Elevations";
 2076-TF-00-00-DR-L-3001 Rev P10 "Planting Plan";
 2076-TF-00-00-DR-L-1001 Rev P10 "Landscape General Arrangement"; and
 Schedule of Accommodation Rev H.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1, D SP1, HER DM1, HER DM3, QE SP1 and T SP1 of the Arun Local Plan.

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

the "Arboricultural Impact Assessment and Method Statement" (ref: SEA20727aia-ams, Rev: B, 21.02.20);
 the "Tree Report" (ref: SEA20727tr, Rev: A, 12/12/19); and
 the "Tree Reference Plan" ref SEA20727-03C (21.02.20).

If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones, then prior to their installation a Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced out on site.

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

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

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

- 4 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the proposed buildings have been submitted to and approved by

the Local Planning Authority and the materials so approved shall be used in the construction of all of the buildings.

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

- 5 No development above damp proof course (DPC) level shall take place unless and until details of the construction and materials of all front openings, windows and doors for plots 2-7, 19-21 & 36-41 and the front & right hand side openings, windows & doors for plot 1 have been submitted to and approved by the Local Planning Authority and the new windows and doors as approved shall then be constructed in accordance with approved details. The submitted details shall include the style and material of the window frames, the arrangement of glazing bars, the set-back of the frames from the external wall face and the window sills.

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

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

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

- 7 Any tree pruning considered essential to enable the agreed development must meet the requirements of BS3998:2010
Tree work - Recommendations:

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

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

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

Reason: New petrol, diesel and hybrid cars/vans will not be sold beyond 2035, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun Parking Standards SPD and the National Planning Policy Framework.

- 9 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the National Planning Policy Framework) unless it can be demonstrated that a fabric-first

approach would achieve an equivalent energy saving. Details and a timetable of how this is to be achieved for each phase or sub phase of development, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority before any development exceeds damp proof course (DPC) level. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter.

Reason: In order to secure on site renewable energy in accordance with national planning policy and in accordance with policy ECC SP2 of the Arun Local Plan.

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

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

- 11 Notwithstanding the provisions of Schedule 2, Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting this Order) no hardstanding (other than that specified on the approved plans) shall be created on land forward of the principal or side elevations of plots 1-5, 19-21 & 36-41, unless permission is granted by the Local Planning Authority on an application in that behalf.

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

- 12 Notwithstanding the provisions of Schedule 2, Part 2, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting this Order) no fences, walls, gates or other means of enclosure (other than those specified on the approved plans) shall be erected on land forward of the primary or side elevations of plots 1-7, 19-21 & 36-41, unless permission is granted by the Local Planning Authority on an application in that behalf.

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

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

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

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

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

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

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

- 16 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no rear extensions to plots 5, 18, 22, 38-41, 46-49, 54-56 shall be constructed or buildings shall be erected within the curtilage of the same plots unless permission is granted by the Local Planning Authority on an application in that behalf.

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

- 17 No construction / demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no works taking place on Sunday or Bank Holidays.

Reason: To protect the amenity of local residents in accordance with policies QE SP1 and QE DM1 of the Arun Local Plan.

- 18 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.
- 19 INFORMATIVE: In the interests of crime prevention and deterrence, the development should incorporate security measures in accordance with the consultation advice of Sussex Police (dated 12/09/19) as available on the Councils website.
- 20 INFORMATIVE: The applicant should note that this layout has been approved without the requested winter monitoring groundwater data and therefore if it subsequently becomes clear that the drainage conditions cannot be agreed due to the layout not providing sufficient space for drainage then a new Reserved Matters application will need to be submitted as the Local Planning Authority will not be able to agree such changes through the Non Material Amendment process.