

Recommendation Report for Approval of Reserved Matters Following Outline Approval

REF NO: Y/98/18/RES

LOCATION: Land off Burndell Road
Yapton

PROPOSAL: Approval of reserved matters (access, appearance, landscaping, layout and scale) following outline permission Y/19/16/OUT for 108 residential dwellings, with associated parking, road/footway/cycleway provision, open space, landscaping, surface water attenuation and ancillary works.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks reserved matters approval for 108 residential dwellings with associated parking, road/footway/cycleway provision, open space, landscaping, surface water attenuation and ancillary works. Approval of scale, layout, external appearance and landscaping are sought. Although access is listed in the description and on the submitted application form, this has already been approved at the outline stage.

The proposed scheme includes a mix of 2, 3 & 4 bedroomed houses plus 1 & 2 bedroomed flats (12 x 1 bed; 28 x 2 bed; 48 x 3 bed; and 20 x 4 bed). The mix is shown on the submitted Full Plot Schedule Rev C which also details parking spaces, materials and internal floor space. Thirty-two of the dwellings will be affordable with a mix of Affordable Rented (16) and Shared Ownership (16). Thirteen of these are centred in the centre of the site but the rest are spread out in the western half of the site.

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 third space whilst the 1 & 2 bedroom flats will only have 1 allocated space each. There will also be 21 visitor spaces and 10 unallocated spaces.

The majority of the houses and flatted buildings will be two storeys albeit with some having small window sized dormers and some with higher roof ridges. The exception is the two flatted buildings in the centre of the site (plots 56-63, 67-74) which are considered to be 2 and a half storey with clear use of the roof space. The flatted building at plots 93-98 will have a separated bin and bike store whereas this is internal for the other two flatted buildings. All of the houses will either have a shed and a car port or just a garage. The garages will then be

between 1.2 and 1.7m longer than a standard parking space so will allow for some storage.

The access is from Burndell Road and includes a length of new driveway leading south into the site. This new driveway will have pedestrian footpath on one side and grassed landscaped verge on both sides. An existing footpath located on the west side of the site is also being retained (with a width of within this area and this continues along the west boundary to the west of the access road, through the site until it meets a different stretch of footpath which passes outside the site in the south west corner.

The path inside the site also passes close to a retained section of ditch. This begins roughly level with the boundary between 25 Park Drive and the garage court between 17 & 19 Fairholme Drive. The ditch then continues southwards. This ditch will be fenced with 1.2m high post and rail fencing so that it is secure but also visible to path users. There are also sections of ditch on the southern and eastern boundaries but these do not have a pathway alongside, so do not require fencing but will have a 5m wide buffer area to them in order to ensure future access for maintenance.

The layout includes public open space (POS) located along the southern boundary and also in two central positions south of plots 56-74 and west of plots 36 & 37. The eastern boundary and part of the verge to the access road are also shown as POS but are not included in the total area for the purposes of planning. The total amount of POS is 6117sqm which exceeds the policy requirement of 5562sqm.

Two Local Areas for Plan and one Local Equipped Area of Play are also to be provided within the POS areas. Also shown within the southern area of POS is an attenuation pond, a small single storey pumping station building within a fenced compound and an electric substation.

The application also includes a comprehensive soft landscaping scheme which includes new trees, new shrubs, hedges, wildflower planting and grassed areas. The separate hard landscaping scheme refers to new tarmac, paving (3 different types), granite setts, concrete setts, gravel paths, concrete paving slabs and gravelled areas. The proposed boundary treatments are as follows:

- 1.8m close boarded fencing (CBF) to the side boundary of 22 Fellows Gardens;
- 1.2m post & rail fence on the development side of the retained hedge (trimmed to 6m high) to the northern & eastern boundaries;
- 1.8m CBF where required to the western boundary;

- Hedging to the southern boundary; and
- Within the site layout - a mix of 1.8m high CBF, 1.8m high brick walls with 2m high piers and 1.2m or 1.8m high larch fencing.

The fencing within plots 16-18 is shown to be demountable where it crosses the easement to the ditch.

SITE AREA	3.868 hectares
RESIDENTIAL DEVELOPMENT DENSITY	28 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	There are existing trees and hedgerows on the boundaries of the site including Lombardy Poplars on the eastern boundary and a small number of mature Oaks on the southern boundary. Full details are set out in the submitted Arboricultural Impact & Method Statement.
BOUNDARY TREATMENT	The red line application site includes hedgerows, trees and various styles of fencing around the periphery of the site.
SITE CHARACTERISTICS	The site comprises an almost square site to the south of Burndell Road and Fellows Gardens. The site is an open field and was previously used as arable farmland. Access to the site has already been approved and entails an access road from Burndell Road between Maple Cottage to the west of the access and the former Burndell Scrap Metal Yard to the east. The Scrap Metal site benefits from a permission to redevelop with 4 dwellings with access from the new access road into this development. As per the current planning permission, two of these houses would front onto the access road. However, there is a current application in seeking to vary the permission to have the dwellings backing onto the access with private gardens within the verge. The Burndell Road proposed landscaping plans allow for this by not proposing any hedging or trees along this frontage but these plans do not show part of the verge as private garden as this will be considered under the separate application. To the north of the main part of the site is existing residential development (Fellows Gardens) with the rear gardens of two storey modern houses backing onto the site. To the south of the site there is part allotments and part open countryside. To the west there is existing 2 storey housing along the full western boundary (properties located within the three cul-de-sacs - Park Road, Park Drive and Fairholme Drive). To the east there is another residential site currently being developed by Crayfern Homes for 45 dwellings. This has a similar layout with a mix of public open space to the edges and centre of the site and the play area in the SW corner. The approved layout does not allow any access into the Burndell Road site.

There is a footpath running along (inside) the western boundary which connects to another footpath running part along the southern boundary but outside of the site. There are also ditches running along the part western and part southern boundaries.

CHARACTER OF LOCALITY

The site is located in an area where residential development exists on three of the site boundaries (north, east and west). The fourth boundary, to the south, is in part allotment and part agricultural use. However, beyond these allotments are two sites allocated in the Neighbourhood Plan (and benefitting from outline permissions) for residential development.

RELEVANT SITE HISTORY

Y/61/19/PL	Application for variation of condition imposed on planning permission Y/53/16/PL relating to condition no.4 - amendment to site layout. This application affects the setting of a Listed Building	
Y/102/18/DOC	Approval of details reserved by condition imposed under ref APP/C3810/V/16/3158261 relating to Condition No 13 Construction Management Plan.	
Y/97/18/DOC	Approval of details reserved by condition imposed under ref Y/19/16/OUT relating to Condition Nos 5, 6, 7, 9, 10, 11, 12, 15, 17, 18, 19, 22, 23 and 24.	
F/5/18/RES	Approval of reserved matters following outline consent F/7/15/OUT relating to appearance, landscaping, layout & scale for residential development comprising of 45No. dwellings. This application also lies within the parish of Yapton. Resubmission of F/23/16/RES	ApproveConditionally 08-06-18
Y/19/16/OUT	Outline application for the development of a maximum of 108 No. residential dwellings, vehicular access from Burndell Road, public open space, ancillary works & associated infrastructure. This application is a Departure from the Development plan	Called In by DCLG/SD 08-09-16 Appeal: Allowed+Conditions 13-10-17
Y/53/16/PL	4 No. dwellings with associated ancillary services & access (resubmission following Y/108/15/PL). This application affects the setting of a Listed Building.	ApproveConditionally 14-08-17

F/7/15/OUT	Outline application for residential development comprising 45 dwellings. Formation of access onto Burndell Road (Resubmission following F/9/14/PL) - This application also lies within the parish of Yapton. This application is a Departure from the Development Plan.	App Cond with S106 10-03-16
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Application Y/19/16/OUT sought outline planning permission for up to 108 new residential dwellings on the site with access from Burndell Road. It was approved on appeal and endorsed by the Secretary of State following a Council refusal.

Application Y/97/18/DOC is currently seeking the discharge of several of the conditions imposed by the Inspector on Y/19/16/OUT. Three of the conditions have been discharged but the remainder cannot be agreed until the Reserved Matters has been approved as they are based on the reserved matters layout. Application Y/102/18/DOC separately approved the Construction Management Plan.

Y/53/16/PL and Y/61/19/PL concern the former Yapton Scrap Metal site discussed above under "Site Characteristics". In addition, F/7/15/OUT & F/5/18/RES concern the site to the east being developed with 45 homes.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Yapton Parish Council

Yapton Parish Council (YPC) state no objection with the following comments:

"YPC would like to first state its disappointment in the applicant's late approach in discussing the detail of this application with YPC, especially when considering the strong negative community feeling towards the proposal. YPC were consulted on the reserved matters the evening of the submission date. YPC therefore trust that its comments outlined below will be taken into full consideration and acted upon.

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 of 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 central core of parking within the site 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 western edge of the proposed site uses the existing drainage ditch as a feature to enhance a 'rife' backdrop to a multi user pathway to be enjoyed by all. It should link the western edge of the village to the existing public rights of way and key facilities within the village namely allotments, shops, buses and adjoining Ford PC.

YPC have concerns that the proposal to fence the 'Rife'/drainage ditch will create a residential enclave opposed to an organic residential extension to the village. The ditch must become a feature blending the existing housing with the new and encourage biodiversity within this area for users and residents to appreciate and enjoy.

YPC therefore require a condition that will specify the proposed public right of way be a multi-user path built to an appropriate specification for immediate use after the first occupation of the scheme. Landscaping of the path must reflect that of a Rife with sufficient 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 108 units. However, YPC would expect the proposal to reflect a scheme that softens the high density numbers through careful distribution of housing type and sensitive placing of units within the street-scene. YPC appreciate that the housing faces outwards but would seek a more varied site line from street level, reflecting the irregular placing of housing fronting key roads and lanes throughout the village. YPC therefore seek that the units are varied in depth along the main streets/roads to ensure a more rural feel opposed to regimented urban street scene. The use of front gardens and green laybys should be 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 amenity space is provided as a more central 'village green' effect, providing a central focus to the scheme and a formal shared open space which would promote a shared community experience.

3. Appearance

YPC note that the applicant has drawn much of the detail of their scheme from the newly built Fellows Gardens but would request that a more diverse approach to use of materials should be applied as per 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) Disappointed in late approach to discussion with YPC (approached on the submission date);
- (b) Need restriction to prevent garage conversions within first 5 years;
- (c) Use of CORE Grass or similar for core parking areas;
- (d) Request multi-user pathway down western side of the site (to be subject of a pre-occupation condition);
- (e) Retention of ditch as a feature to enhance the pathway/Concerned with plans to fence the ditch;
- (f) Seek more varied building lines;
- (g) Seek more mixing of unit types within the layout;
- (h) Front gardens and laybys should be promoted to soften the streetscape;
- (i) Amenity space should be more central; and
- (j) 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) Unclear as to proposed boundary treatment between Fellows Gardens and the site;
- (2) Current Fellows Gardens boundary fencing has harris rail on outside and this could allow unauthorised access from the site;
- (3) Need something to replace removed Fir Trees at side of 22 Fellows Gardens;
- (4) Need solid boundary between site and existing homes to the west;
- (5) No updates given to Yaptan Parish regarding the applicant name change;
- (6) Impact on surface water flooding on Fellows Gardens properties;
- (7) Light intrusion to Fellows Gardens from new cars in the development;
- (8) Overlooking of Fellows Gardens from new dormer windows;
- (9) Overlooking of Fairhome Drive from new windows on the flatted building;
- (10) Western footpath should be upgraded to multi user (bridleway) status and dedicated by WSCC;
- (11) Light intrusion from new light columns & loss of privacy to rear of Park Drive dwellings; and
- (12) The 4 parking layby spaces currently shown to the back of Park Drive should be relocated southwards so that they are more to the rear of the parking court at the end of Fairholme Drive.

COMMENTS ON REPRESENTATIONS RECEIVED:

The following is in response to the YPC comments:

- (a) Noted but there is no requirement for the applicant to carry out pre-application community consultation;
- (b) A condition will be imposed however, it will be a permanent condition not just for 5 years;
- (c) The applicant has stated 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 parking areas are likely to be well used in this residential setting and therefore any planting within the core grass would likely fail;
- (d) The applicant has not agreed to this request. The pathway is shown to be retained with the same width as present. Although the YNDP sets out support for new and enhanced footpaths, there is nothing in the document that would justify a refusal on the grounds that the path is not being enhanced. However, ALP policies T SP1 and T DM1 do both require new development enhances existing public rights of way. Therefore, this will be discussed in more detail in the conclusions section of the report.

- (e) The applicant has acknowledged the concerns over the ditch and therefore now propose a 1.2m high post and rail fencing between the ditch and the footpath to safeguard the public using the footpath whilst maintaining views of the ditch itself.
- (f) The applicant has pulled back plots 6, 7 & 105 by 1m to stagger the frontage building line in response to the YPC comments;
- (g) - (h) The applicant has not responded to these comments. Layout will be discussed in the report's conclusions;
- (i) The applicant has not made any changes to the location of the largest area of public open space. In their view, the location of the POS is not dissimilar to the indicative plan submitted at the outline stage and accords with the parameters approved at that time. It is also noted that the layout of POS has similarities with the adjoining recently approved site to the east; and
- (j) The applicant has introduced flint to the dwellings on plots 53, 89 & 108; and tile hanging to the front gables of the dwellings on plots 18, 28, 46 & 86.

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

- (1) This has been clarified through the amended landscaping drawings and consists of the existing hedge (trimmed to a height of 6m) with a new 1.2m high post and rail fence on the development side of the boundary;
- (2) Noted but the hedging and fencing will prevent unauthorised access;
- (3) The plans show new hedging along this boundary plus three new trees;
- (4) Noted. The applicant proposes new 1.8m fencing where required (i.e. where any gaps exist) plus a new section of hedgerow;
- (5) This is not a material planning consideration;
- (6) Drainage will be considered within the report's conclusions;
- (7) - (9) Residential amenity issues will be considered within the report's conclusions;
- (10) As per comment (d) above; and
- (11) Two additional trees are to be provided to the western boundary (near to Park Drive) to provide further screening; and
- (12) The applicant has considered the request but is unwilling to agree.

CONSULTATIONS

Southern Water Planning
Engineering Services Manager
Engineers (Drainage)
Environment Agency
Sussex Police-Community Safety
Environmental Health
Parks and Landscapes
Economic Regeneration
Planning and Housing Strategy
NHS Coastal West Sussex CCG
Strategic Projects
Arboriculturist

CONSULTATION RESPONSES RECEIVED:

ENVIRONMENT AGENCY - Have no objection. Request that informatives be added to the permission

highlighting the potential need for an environmental permit and to require the developer to take all precautions to avoid discharges and spills to the ground both during and after construction.

NHS - Request a contribution of £121,551 to likely be used towards a new integrated community hub facility at the Croft Surgery site (Eastergate) which will serve the catchment population of this proposed development.

SOUTHERN WATER - State that there is an increased risk of flooding unless any required network reinforcement is provided by Southern Water. This will be part funded through the New Infrastructure Charge with the remainder funded through Southern Water's Capital Works programme. However, require that the developer and Southern Water work together to ensure that the occupation of the site is aligned with this network reinforcement work. Therefore, request a condition to secure a phased delivery of development to ensure Southern Water are able to deliver sewerage network reinforcement to ensure capacity for the new homes.

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

WSCC HIGHWAYS - The County Highways response sets out no objections to the discharge of conditions 18, 22 & 23 (as per Y/97/18/DOC). Also, that the on-site vehicle tracking drawings (fire appliance, refuse and cars) all appear acceptable based on the latest drawings.

ADC TREE OFFICER - Following submission of an updated Arboricultural Impact Assessment alongside a Tree Protection Plan and a revision to the layout which is more sympathetic to 4 Oak trees to the southern and eastern boundaries, now raise no objections. Request a tree protection/pre-commencement site meeting condition.

ADC ENVIRONMENTAL HEALTH - No objections. Request conditions to secure an electric car charging point strategy/scheme for the site, a Japanese Knotweed Management Plan and a pre-commencement remediation strategy.

ADC GREENSPACE - No objections raised. State that:

- The landscape scheme is sufficiently detailed providing a good mix of native and ornamental trees and shrubs, both deciduous and evergreen which will in time provide softening, provide increased amenity and add to the biodiversity of the development in this location;
- The POS area is acceptable and does not include the entrance roadway open spaces or those to the eastern site edge;
- Now have no concerns with the proposed boundary between the site & Fellows Gardens and the associated maintenance regime.

ADC ECONOMIC DEVELOPMENT - Have no comments.

ADC DRAINAGE ENGINEERS - Following detailed and lengthy negotiation on the scheme (as set out on the Council website), have now removed their objections. State that: "The proposed layout provides sufficient provision for surface water drainage. The list of drawings to be approved is: 18-070-02J, 18-070-103P, 18-070-104D, 18-070-105F, 18-070-108, 18-070-109C, 18-070-110C, 18-070-111A, 18-070-112C, 18-070-113E, 18-070-114D, 24477sts, E13319_01_C, E13319_02_B."

COMMENTS ON CONSULTATION RESPONSES:

The applicants have started on the site therefore, it is not appropriate to impose pre-commencement style conditions. Instead these will be worded to require approval of details within a set period of time of

the planning permission being granted.

The applicant was previously aware of the Environmental Health requests for more information in respect of site remediation and electric charge points but requested that these be imposed as planning conditions. The Japanese Knotweed management plan is no longer appropriate as the applicants confirmed by email 20/05/19 (with correspondence from their environmental consultant) that all traces of Japanese Knotweed have been removed from the site and that a root barrier has been installed.

The applicant has objected to the Southern Water phasing condition. They state that there is already a foul drainage condition as imposed on the Outline Permission and the condition does not allow Southern Water to refuse the condition on grounds of lack of capacity. Further, that under the provisions of the Water Industry Act, Southern Water has a duty to improve their system to cater for new development and therefore capacity should not be in question. In addition, the Planning Authority considers that foul drainage capacity is a matter of principle and should have been resolved at the Outline stage. Southern Water have been contacted for their response on two occasions (12/02/19 & 04/07/19) but have not responded.

It is not considered appropriate to request that the applicants provide the NHS contribution. The NHS were consulted on the outline application (at which time it was appropriate to request contributions towards infrastructure) and did not respond.

POLICY CONTEXT

Designations applicable to site:

Within the Built Up Area Boundary;
Area of Special Control of Adverts; and
Within 500m of Northwood Farm Waste Site.

There is a Grade II Listed Thatched Cottage (two storeys) known as Wayside within approximately 98m of the boundary of the residential part of the site (it is much closer to the access part of the site). However, it is not considered that there is any impact on setting as there is both a development site (Yapton Scrap Metal) and existing two storey residential development (Fellows Gardens) between the heritage asset and the site of the new houses. Furthermore, heritage was considered by the Appeal Inspector at outline stage and it was stated that the "The scheme would preserve the special interest of Wayside, including any contribution to the setting of that significance".

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:

	West Sussex W2 Safeguarding Waste Management Sites
<u>Yapton neighbourhood plan 2014 Policy BB1</u>	Built-up Area Boundary
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 BE2	High speed broadband
Yapton neighbourhood plan 2014 Policy E11	Minimising the impact of flooding from development
Yapton neighbourhood plan 2014 Policy PK1	Parking standards for new residential development
Yapton neighbourhood plan 2014 Policy H2	Dwelling size
Yapton neighbourhood plan 2014 Policy H3	Dwellings appropriate for the needs of older people

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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 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 up to 108 new residential dwellings on the site with access from Burndell Road has already been established by application Y/19/16/OUT which was approved on appeal and endorsed by the Secretary of State with the final decision issued in October 2017. It is therefore only necessary to consider the outstanding details - those of layout, appearance, landscaping and scale.

It is only appropriate to consider development plan policy/material considerations in respect of the reserved matters. Matters relating to the flood risk, biodiversity, agricultural land, countryside location, foul drainage (the principle of 108 new dwellings connecting to the network), children's play and infrastructure are all considered to be outline issues. Furthermore, as noted above, the principle of development close to a Listed Building has already been accepted.

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.

It is important to note here that the layout now proposed is similar in form to that which was indicated at the outline stage in that there were two central areas of public open space (POS) but the play areas and also an amount of POS were to be along the southern boundary along with a pumping station and attenuation pond. Also the location of POS and children's play areas along the southern edge is similar to the layout approved on the neighbouring site to the east.

Furthermore, whilst the appeal decision did not comment on any of the reserved matters, the officers report stated that, in general terms, the number of units, the density and the layout was appropriate. The report also noted that the indicative layout had been previously discussed at pre-application stage and had been amended in response to comments made at that time. The report did however state that there was a desire expressed that the scheme provide a pedestrian link into the site to the east and for there to be shared POS between the two sites.

It is accepted that the layout was not approved at the outline stage. However, it is not considered that the development plan policies and policy guidance on matters of design is materially different to when the previous recommendation was given and that the factors referred to above are material in the determination of this application. It is also important to note that there is open countryside to the south and that the POS and play areas along the southern edge therefore allow for a green buffer to the adjacent land. Similarly, the green edge to the west gives a buffer to the existing housing west of the site (which also assists with ensuring an appropriate interface distance to the new houses). The need to provide easements to the ditches along the part western, southern and eastern boundaries also makes it difficult to develop these areas with houses or gardens and thus makes a case for having these as green edges.

The principle of the access into the site has already been established and therefore this part of the site is purely functional in layout. However, it is considered that it will be an attractive entrance into the site with grass verges, landscaping and the retained public footpath. This will present an attractive view of the site in the context of the streetscene.

It is noted that no link is shown into the adjacent site to the east. This was suggested at the outline stage and has also been requested again during this determination. In response, the applicant agreed to not provide a formal fence boundary in the south east corner and instead has this shown with the existing hedge boundary treatment. There is no guarantee that this will allow movement into the adjacent site. However, it should be noted that the adjacent Crayfern Homes site was not required to provide a gap for access and that there is a narrow section of unregistered land between the two sites.

Therefore, even if a gap was provided, pedestrians would have to cross third party land and there may then be no access into the adjacent site. It is regrettable that this cannot be provided however it is considered that this should have been resolved at an earlier time in combination with the determination of the adjacent site.

The scheme proposes predominantly two storey houses but with some houses with rooms in the roof and three bulkier apartment buildings, one of which is straight two storeys and the other two (in the centre of the site) have additional rooms in the roof. The scale of the proposal is therefore predominantly in character with the scale of residential development on adjacent land. Furthermore, the higher

apartment buildings are located centrally therefore have lower visibility from existing external viewpoints. Although the houses are all two storeys, there is variation in the roof heights (some only slight but some more noticeable) which will add diversity to the scale of the street scenes.

There is additional diversity from the use of front gables, small window sized dormers, covered porches, bay windows and the instances of garages or car ports. The scheme proposes a mix of materials as set in the submitted Schedule (Rev D) and this is considered to be appropriate. The materials schedule has been amended during the determination to secure the use of flint facing and a change to one of the tiles which was considered too similar to a proposed red brick.

Concerns have been raised by third parties regarding the need for varied building lines; mixing of unit types; need to soften frontages; and the need for a more central POS. In response, the applicant has staggered some of the houses to create more diversity in the building lines but has not made any changes in respect of the other points. It is noted that more greenery was shown to frontages on the outline indicative layout however the proposed layout does still show areas of grass plus trees and shrubs to the frontages and in those cases where none is shown, this is as a result of the need to accommodate parking spaces. It is also considered that the layout is sufficiently mixed and that the affordable dwellings are mixed in with market housing thus meeting the guidance in the NPPF on inclusive communities.

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.

Third party objections with the landscaping aspects of the scheme are predominantly concerned with boundary treatments although one resident expressed a desire for new tree planting within the site adjacent to his boundary. The landscaping scheme shows three new trees to the west of that resident's boundary.

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 boundaries are also considered to be appropriate and consist predominantly of retained hedges and fencing which a section of new fence to protect the hedge along the northern boundary. In addition, protection measures are

proposed to those existing trees to be retained and changes have been made to the scheme during the determination to ensure that notable trees are not harmed by the siting of the attenuation pond.

The landscaping scheme has been appraised by the Council's Landscape Officer who has no objections with the scheme and considers that it is sufficiently detailed providing a good mix of native and ornamental trees and shrubs, both deciduous and evergreen and will in time contribute to site biodiversity. The Officer also considers that the POS area and the treatments to existing boundaries are acceptable. Furthermore, the Council's Tree Officer has withdrawn an earlier objection following receipt of an updated Arboricultural Impact Assessment which is more sympathetic to 4 Oak trees to the southern and eastern boundaries.

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) 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.

Local residents have raised concerns in respect of potential for light intrusion to Fellows Gardens from new cars in the development; the potential for overlooking of Fellows Gardens (from new dormer windows) and of Fairhome Drive (from new windows on the flatted building). In addition a resident of Park Drive is concerned about light pollution from street lamps and also overlooking.

As noted elsewhere, the dwellings are all set in from the western, southern and eastern boundaries by virtue of the landscaping/ditch easements to these boundaries plus the internal road layout. As such, interface distances between the fronts of the new dwellings and the rears of existing dwellings to the west are at least 25m. The distance between the flatted building and the facing properties on Fairholme Drive is in a range of 23-25m (depending on the part of the new flatted building measured to) and contrary to the initial concerns of local residents there is no accommodation in the roof of this building.

To the north, the interface distance is lower (given no buffer to the boundary) but is at least 20m and in places 25m. There is a much lower distance between the northern flank of plot 16 and the southern flank of 47 Fellows Garden dwelling to the north. The relationship to the east is the most with a distance of at least 30m between dwellings. Within the layout itself, back to back interfaces are at least 20m whilst front/rear to side distances are at least 13.5m.

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 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.

As such, all of the relationships between proposed & existing and between proposed & proposed dwellings are acceptable and will ensure a high standard of amenity for existing and future users. The size of the gaps will also protect against impacts associated with sunlight and shading. The interface distances when combined with the boundary treatments and the presence of garages will also ensure that there is no light spill into Fellows Gardens from cars using the new estate roads. Similar factors combine to mitigate any other light issues to the residential properties to the west or east. The proposed landscaping also provides further mitigation (for example the strategic placement of trees on the western boundary).

There is also concern from local residents regarding light intrusion from the new lighting columns. These will be a height of 6m and will be in accordance with the specification provided (to be formally determined through the separate discharge of conditions - application Y/97/18/DOC). The lights will face downwards and can be fitted with additional shielding should this be required. These street lights have been assessed by Environmental Health officers (comments dated 22/08/19 & 05/09/19) and no objections are raised either to the height or the specification. Furthermore, advice from WSCC (who will be adopting the development) is that the columns will need to be 6 metres as the lighting has been designed to this height. Also that this height lowers the energy consumption as more of an area is lit and this in turn lowers the carbon footprint.

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.

(B) 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"

There has been a third party request for an enhancement of the existing public footpath down the

western part of the site. The applicants are retaining this and part of this will be alongside the retained ditch (with low height safety fencing). However, the applicants have not agreed to the widening of this to also allow for cyclists and horses as they do not consider this to be necessary. There is policy support for such an enhancement both in the ALP policies above and in the main body of the YNDP but not in any specific YNDP policies.

Furthermore, none of the ALP policies specifically require that existing paths are upgraded to multi-user status and it is considered that a refusal on these grounds would be difficult to sustain particularly if it were the sole reason due to the overriding need for the developments and the economic & social benefits that would need to be attributed weight. It is also material that the pathway network to the south which this connects to does not yet have multi-user status and that although a proposed development site to the south (Land east of Cinders Lane - ref Y/4/19/RES) is proposing this, this is not in place and only concerns a section of the route. Therefore, if horses and cycles were to be able to use this route there would be congestion and conflict leading to safety issues on the rest of the pathway network.

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 easily accessed by refuse vehicles 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 224 spaces. The proposal provides a total of 248 spaces and this number includes 11 unallocated residential spaces and 22 visitor spaces. The application states that this figure is in accordance with the West Sussex County Council's parking calculator. Although the allocated space provision is lower than that required by the YNDP, the total amount is greater therefore there is no conflict with the relevant policies. 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.

(C) 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.

There has been concern from local residents regarding the impact of surface water flooding on houses within Fellows Gardens. However, ADC drainage engineers have had lengthy negotiations with the applicants on this application and, after numerous changes to the relevant drawings, have been able to agree the scheme and agree that the proposed layout provides sufficient provision for surface water drainage. It is therefore considered the proposal accords with ALP policy W DM3 and YNDP policy E11.

(D) 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 which demonstrates that 100% of the affordable dwellings comply with the standards and that 79% of the market dwellings comply. Although there is not 100% compliance, the standards are guidance only and non-conformity would not be in conflict with the development plan. It is considered that 79% compliance is an acceptable percentage for a large housing site.

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 10m in depth, they are all considered to be useable private spaces. A condition removing permitted development rights for rear extensions and outbuildings is to be imposed regarding plots 12, 13, 33, 34, 35, 38, 39, 40, 41, 42, 43, 44, 45, 64, 65, 66, 81, 82, 89, 90, 91 & 92 as the amount of private gardens to these plots could be adversely affected by such additional development. A similar condition is to be imposed in relations to plots 16-18 nit because of garden size but the need to protect the easement to the ditch.

The proposed flats have no private space but have access to the nearby shared communal areas of open space. On this basis, it is considered that the scheme provides a good standard of amenity for future occupiers.

(E) 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 application states that in accordance with Building Regulation requirements in relation to accessibility and the Government's prevailing (2015) guidance on maximum standards for sustainable construction, 10% renewable energy is provided to the site by way of photovoltaic solar panels to 17 of the proposed houses. This will be enforced through a condition referencing the plan on which these are shown. It is considered that this proposal complies with policy ECC SP2.

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/19/16/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:

Full Plot Schedule of Materials and Parking Rev D;
 18-070-001 Rev D Parking Technical Note;
 18-070-002 Rev J Drainage Strategy Technical Note;
 18-1065-001-1st Location Plan;
 18-1065-005 Rev E Site Plan Planning Layout;
 18-1065-006 Rev D Site Plan Planning Layout Coloured;
 18-1065-007 Rev D Site Plan Planning Layout Massing;
 18-1065-008 Rev D Site Plan Planning Layout Refuse Strategy;
 18-1065-009 Rev D Site Plan Planning Layout Parking Strategy;
 18-1065-010 Rev D Site Plan Planning Layout PV Location;
 18-1065-011 Rev B Site Plan Planning Layout Affordable Housing Tenure Plan;
 18-1065-015 Plot 1, House 7 Spruce, Floor & Elevations;
 18-1065-016 Plots 2 & 3, House Type 5 Hazel, Floor & Elevations;
 18-1065-017 Rev A Plot 4 House Type 8 Cypress Floor Plans and Elevations;
 18-1065-018 Rev A Plot 5 House Type 8 Cypress Floor Plans and Elevations;
 18-1065-019 Rev A Plots 6 & 7 House Type 9 Beech Floor Plans and Elevations;
 18-1065-020 Plots 8 & 9, House Type 5 Hazel, Floor & Elevations;
 18-1065-021 Plots 10 & 11, House Type 5 Hazel, Floors & Elevations;

18-1065-022 Plots 12 & 13, House Type 9 Beech, Floors & Elevations;
18-1065-023 Plot 14, House Type 12 Juniper, Floors & Elevations;
18-1065-024 Plot 15, House Type 13 Chestnut, Floors & Elevations;
18-1065-025 Plots 16 & 17, House Type 4 Holly, Floors & Elevations;
18-1065-026 Rev A Plot 18 House Type 12 Juniper Plans and Elevations;
18-1065-027 Plots 19 & 20, House Types 7 Spruce & 5 Hazel, Floors & Elevations;
18-1065-028 Rev A Plots 21-24 House Type 9 Beech Floor Plans;
18-1065-029 Rev A Plots 21-24 House Type 9 Beech Elevations;
18-1065-030 Plot 25, House Type 12 Juniper, Floors & Elevations;
18-1065-031 Plot 26, House Type 11 Willow, Floors & Elevations;
18-1065-032 Plot 27, House Type 12 Juniper, Floors & Elevations;
18-1065-033 Plots 28 & 29, House Type 4 Holly, Floors & Elevations;
18-1065-034 Rev A Plot 30 House Type 12 Juniper Floor Plans and Elevations;
18-1065-035 Plot 31, House Type 12 Juniper, Floor & Elevations;
18-1065-036 Plot 32, House Type 12 Juniper, Floors & Elevations;
18-1065-037 Plots 33-35, House Type 4 Holly, Floors & Elevations;
18-1065-038 Plot 36, House Type 13 Chestnut, Floor & Elevations;
18-1065-039 Plot 37, House Type 13 Chestnut, Floors & Elevations;
18-1065-040 Rev A Plots 38 & 39 House Type 5 Hazel Floor Plans and Elevations;
18-1065-041 Plots 40-42, House Type 4 Holly, Floors & Elevations;
18-1065-042 Plots 43-45, House Type 4 Holly, Floors & Elevations;
18-1065-043 Rev A Plot 46 House Type 12 Juniper Plans and Elevations;
18-1065-044 Rev A Plot 47 House Type 11 Willow Floor Plans and Elevations;
18-1065-045 Rev A Plots 48 to 51 House Type 9 Beech Floor Plans;
18-1065-046 Rev A Plots 48-51 House Type 9 Beech Elevations;
18-1065-047 Rev A Plots 52 & 53 House Types 5 & 7 Hazel & Spruce Floor Plans and Elevations;
18-1065-048 Rev A Plot 54 House Type 7 Spruce Floor Plans and Elevations;
18-1065-049 Rev A Plot 55 House Type 5 Hazel Floor Plans and Elevations;
18-1065-050 Plots 56-63, 1 & 2 Bedroom Apartments, Floor Plans;
18-1065-051 Plots 56-63, 1 & 2 Bedroom Apartments, Elevations;
18-1065-052 Plots 64-66, House Type 24 2BH Cherry, Floors & Elevations;
18-1065-053 Plots 67-74, 1 & 2 Bedroom Apartments, Floor Plans;
18-1065-054 Plots 67-74, 1 & 2 Bedroom Apartments, Elevations;
18-1065-055 Rev A Plot 75 House Type 5 Hazel Floor Plans and Elevations;
18-1065-056 Rev A Plot 76 House Type 8 Cypress Floor Plans and Elevations;
18-1065-057 Plots 77 and 78 House Type 4BH Floors & Elevations;
18-1065-058 Rev A Plot 75 House Type 7 Spruce Floor Plans and Elevations;
18-1065-059 Rev A Plot 80 House Type 5 Hazel Floor Plans and Elevations;
18-1065-060 Plots 81 and 82 House Type 25 3BH Apple Floors & Elevations;
18-1065-061 Rev A Plots 83 & 84 House Type 9 Beech Floor Plans and Elevations;
18-1065-062 Plot 85 House Type 11 Willow Floors & Elevations;
18-1065-063 Rev A Plot 86 House Type 12 Juniper Floor Plans and Elevations;
18-1065-064 Rev A Plot 87 House Type 11 Willow Floor Plans and Elevations;
18-1065-065 Rev B Plots 88 & 89 House Types Hazel & Spruce Floor Plans and Elevations;
18-1065-066 Plots 90-92 House Type 25 3BH Apple Floors & Elevations;
18-1065-067 Plots 93-98 1 Bedroom Apartments Floor & Elevations;
18-1065-068 Plot 99, House Type 7 Spruce, Floors & Elevations;
18-1065-069 Plot 100, House Type 5 Hazel, Floors & Elevations;
18-1065-070 Plots 101 & 102, House Type 4 Holly, Floors & Elevations;
18-1065-071 Rev A Plots 103 & 104 House Type 8 Cypress Floor Plans and Elevations;
18-1065-072 Rev A Plot 105 House Type 12 Juniper Floor Plans and Elevations;

18-1065-073 Plot 106, House Type 8 Cypress, Floors & Elevations;
 18-1065-074 Plot 107, House Type 12 Juniper, Floors & Elevations;
 18-1065-075 Rev A Plot 108 House Type 7 Spruce Floor Plans and Elevations;
 18-1065-079 Rev B Boundary Walls & Fences Plan;
 18-1065-080 Rev A Garages Car Ports and Ancillary Buildings Plans & Elevations;
 18-1065-081 Rev D Street Scene and Site Section 1 of 3;
 18-1065-082 Rev D Street Scenes and Site Sections 2 of 3;
 18-1065-083 Rev D Street Scenes and Site Sections 3 of 3;
 18-1065-084 Rev A Demountable Fence Details;
 18-070-100 Rev E Refuse Vehicle Tracking;
 18-070-101 Rev E Fire Tender Vehicle Tracking;
 18-070-102 Rev D Private Car Vehicle Tracking;
 18-070-103 Rev P Preliminary Engineering Layout;
 18-070-104 Rev D General Arrangement;
 18-070-105 Rev F Overland Flow Route;
 18-070-106 Rev D Street Lighting Plan;
 18-070-107 Rev D Pumping Station Tanker Vehicle Tracking;
 18-070-108 Adoptable Drainage Construction Details Sheet 1 of 2;
 18-070-109 Rev C Adoptable Drainage Construction Details Sheet 2 of 2;
 18-070-110 Rev C Private Drainage Construction Details Sheet 1 of 2;
 18-070-111 Rev A Private Drainage Construction Details Sheet 2 of 2;
 18-070-112 Rev C Private Highway Construction Details;
 18-070-113 Rev E Outfall Catchment Plan;
 18-070-114 Rev D Attenuation Pond Detail;
 18-070 Storm Sewer Design (25/06/19);
 V4 541 19 Yapton (JW2885) Buoyancy of the Sealing System (GCL) + Cover Soil Layer (15/07/19);
 E133119 Loadings - Tank 1;
 E133119 Loadings - Tank 2 Rev 1;
 E133119 Loadings - Tank 3;
 E133119_01 Rev C Attenuation Tank 1 Detail;
 E133119_02 Rev B Attenuation Tank 2 Detail;
 E133119_03 Rev C Attenuation Tank 3 Detail;
 STS2477 Rev B 1.6m Dp. Modular Water Retaining Tank Proposal Drawing;
 STS2477 Rev 0 1.6m Precast Concrete Storm Water Attenuation Tank - Preliminary Floatation Check
 Letter dated 12/06/19 ref GE18233/GR02/190612 re trial pit soakage testing;
 SSE235781 Letter of Approval (12/02/19);
 Kopie von 190712_A1_Auftrieb_RRB;
 18-070 SW Network (15/07/19);
 BOV22172-11 Rev M sheet 1 Soft Landscape Proposals;
 BOV22172-11 Rev M sheet 2 Soft Landscape Proposals;
 BOV22172-11 Rev M sheet 3 Soft Landscape Proposals;
 BOV22172-11 Rev M sheet 4 Soft Landscape Proposals;
 BOV22172-11 Rev M sheet 5 Soft Landscape Proposals;
 BOV22172-12 Rev J sheet 1 Hard Landscape Proposals;
 BOV22172-12 Rev J sheet 2 Hard Landscape Proposals;
 BOV22172-12 Rev J sheet 3 Hard Landscape Proposals;
 BOV22172-12 Rev J sheet 4 Hard Landscape Proposals; and
 BOV22172-12 Rev J sheet 5 Hard Landscape Proposals.

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: - Arboricultural Impact Assessment & Method Statement, Report Ref: BOV22172aia-amsD, Revision D: 04.04.2019 (ACD Environmental) and the Tree Protection Plan ref BOV22172-03 Rev D.

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 Within 1 month of this planning permission being granted, a remediation strategy giving full details of the remediation measures required and how they are to be undertaken shall be submitted to and approved, in writing, by the local planning authority. The removal of any made ground and any impacted soil should be overseen by a suitably qualified, independent specialist and under appropriate safe systems of work. The approved remediation measures shall thereafter be implemented in complete accordance with the agreed report and permanently retained thereafter.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun Local Plan policies QE SP1 and QE DM4.

- 4 Within 1 month of this planning permission being granted, a Site Meeting is to take 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 dwg. no. BOV22172-03D, dated November 2018.

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 further works are commenced out on site.

Reasons: 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.

- 5 Prior to occupation of any part of the approved development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority. Any material removed from site must be taken to a suitable facility and evidence of this can be included in the verification report or provided as a stand-alone document.

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

Plan policies QE SP1 and QE DM4.

- 6 Prior to the occupation of any of the dwellings, a strategy 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 and diesel cars/vans will not be sold beyond 2040, 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 District Council Electric Vehicle Infrastructure Study (November 2017) and the National Planning Policy Framework.

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

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

- 8 If during development any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol/diesel/solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until it has been investigated by the developer. The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with policy QE DM4 of the Arun Local Plan.

- 9 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.

- 10 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.

- 11 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.

- 12 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.

- 13 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.

- 14 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.

- 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 rear extensions to plots 12, 13, 33, 34, 35, 38, 39, 40, 41, 42, 43, 44, 45, 64, 65, 66, 81, 82, 89, 90, 91 & 92 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.

- 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 buildings shall be erected within the curtilages of plots 16, 17 or 18 other than any as already shown unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the integrity of the 5m buffer to the adjacent watercourse in accordance with policy W DM3 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: Please note that this approval does not negate the need for obtaining ordinary watercourse land drainage consent prior to any works to the drain outfalls.
- 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 15/01/19) as available on the Councils website.
- 20 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).
- 21 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.
- 22 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.
- 23 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.
- 24 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.
- 25 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 our New Connections Services Charging Arrangements documents which is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.