

PLANNING APPLICATION REPORT

REF NO:	CM/70/21/PL
LOCATION:	Land at Wren Cottage Horsemere Green Lane Climping BN17 5QZ
PROPOSAL:	Subdivision of the plot and construction of 3 detached bungalows with associated parking, access and landscaping (resubmission of CM/17/21/PL). This application is in CIL Zone 3 and is CIL Liable as new dwellings and is a Departure from the Development Plan.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	<p>It is proposed to erect 3 No. 3-bed detached dwellings. This application follows a withdrawn scheme CM/53/20/PL and refused scheme CM/17/21/PL. The three dwellings would be sited in a line fronting the access road and are all single storey with no accommodation in the roof areas.</p> <p>Each dwelling would face east and have a private rear garden to the west adjoining the rear boundary with properties on Wooldridge Walk. The proposed layout allows for two parking spaces and a garage per plot.</p>
SITE AREA	0.24 hectares.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	12.5 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	There are mature trees on the western boundary. A number of category B and C specimens have been removed to accommodate the development.
BOUNDARY TREATMENT	Fencing and hedging to site boundaries.
SITE CHARACTERISTICS	The site is on the south side of Horsemere Green Lane. It comprises the former rear garden of a residential dwelling Wren Cottage.
CHARACTER OF LOCALITY	<p>The extensive plots of Scyld, Mistletoe Farm, Forgetmenot Cottage and Langford contrasted significantly with the prevailing pattern of development fronting Horsemere Green Lane which is characterised by high density residential development. Higher density is present in Wooldridge Walk and Apple Tree Walk flanking the application site.</p> <p>Development is predominantly in linear form fronting the highway, with hard standings forward of the properties, integral garages and landscaped front gardens. Recent</p>

planning permissions for residential development have been granted at Scyld and Mistletoe Farm.

<b>RELEVANT SITE HISTORY</b>
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CM/17/21/PL	Development of 2 No. 2-bed & 2 No. 3-bed detached dwellings & associated works (resubmission following CM/53/20/PL). This site is in CIL Zone 3 & is CIL Liable as new dwellings.	Refused 10-08-21
CM/21/19/PL	Construction of 9 no. dwellings, access, landscaping and associated works.	ApproveConditionally 07-11-19
CM/53/20/PL	Development of 2 No 2-bed & 2 No 3-bed detached dwellings & associated works. This site is in CIL Zone 3 and is CIL Liable as new dwellings.	Withdrawn 26-02-21

The red edge of the site includes the access road to the site which was recently approved as access to a development for 9 dwellings (CM/21/19/PL). This area is intended to provide drainage for both schemes. This development would need to ensure sufficient capacity is available to adequately drain both sites.

The application follows refusal CM/17/19/PL which was for 4 dwellings and was refused for the following reasons:

- 1) The proposals result in significant and demonstrable adverse impacts on the residential amenity of properties to the west of the site. They are sited an insufficient distance from site boundaries to prevent overbearing impacts and do not provide adequate distance separation between the proposed and existing development sufficient to retain residential amenity. The siting of the dwellings, coupled with the excessive scale, results in a proposal that fails to accord with policy D DM1 of the Arun Local Plan and Para 130 of the NPPF. The proposal fails to accord with guidance in the Arun Design Guide.
- 2) As a result of the inadequate distance separation proposed, it would result in an overly cramped form of development that will fail to respect the character of the locality. The proposals will therefore fail to accord with the Arun Design Guide, policy D DM1 of the Arun Local Plan, policy CPN11 of the Climping Neighbourhood Plan and Para 130 of the NPPF.
- 3) The proposals result in significant and demonstrable adverse impacts that significantly outweigh the presumption in favour of sustainable development afforded by para 11d of the NPPF.

This application relates to one less unit and a change from 2 storey dwellings to the provision of bungalows.

<b>REPRESENTATIONS</b>
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Climping Parish Council - Objection

- There is no provision for amenity space. The development uses the same access as the 9 dwellings

approved in application CM/21/19/PL so the access will serve 12 dwellings. If there had been one application for 12 dwellings there would have been a requirement to provide an amenity space/children's play area. Provision of an amenity space is required in the interest of neighbourhood amenity as the overall development is being extended.

- There is insufficient visitor parking and no turning point at the end of the road access which will create problems for car and delivery/rubbish collection vehicles etc.
- The access junction on to Horsemere Green Lane needs to be re-assessed to allow for 12 dwellings to safely use it.
- This is a more overdevelopment along Horsemere Green Lane with no commensurate improvement in facilities for pedestrians, cyclists and those with limited mobility. There is no pavement or footpath provision in this section of the lane.
- Concern about the further loss of habitat for both flora and fauna. A full survey and assessment of the effect on displaced wildlife and loss of vegetation and trees should be carried out.
- Given the recent findings of the geophysical survey for a nearby site resulting in archaeological works a geophysical survey should be required for this site.

#### Eight Objections

- The plot is too small for these bungalows.
- The back to back measurements from the existing bungalows at nos. 4, 5, 6 & 7 Wooldridge Walk is too near the proposed new bungalows and will intrude in the privacy of the existing dwellings.
- Insufficient turning points for emergency and refuse vehicles.
- The site is long and narrow and not suitable for development.
- The new build property will be just 8.5m from my back hedge. This is far too close.
- More infrastructure and pavements needed.
- Plot no 3 is still too close to our property. The plans show a garden of 10.6 metres but in reality it is only approx 8 metres.
- Density far too high for a rural village situation.
- Will have a detrimental effect on wildlife, especially with the number of trees that have been felled.
- Surface water drainage is already a problem.
- There is no provision for open space.
- Unsafe access from Horsemere Green Lane.
- Insufficient visitor parking.
- Previously 2 bed properties, the 3 bed now proposed require more space.
- Will lose the privacy of neighbouring garden space.

#### 1 Support

- These 3 attractive bungalows would complete the area development as proposed in the Arun Housing Land Availability Assessment and provide quality family homes.

#### COMMENTS ON REPRESENTATIONS RECEIVED:

These matters will be considered in the Conclusions section of this report.

<b>CONSULTATIONS</b>
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#### CONSULTATION RESPONSES RECEIVED:

WSCC (Highways) - No Objection.

Request imposition of conditions relating to electric vehicle charging, car parking and cycle parking provision.

ADC Engineers - No Objection.

Arun District Council Greenspace - No objection subject to submission of detailed landscape scheme.

West Sussex Fire and Rescue Service - Requests conditions in respect of provision of fire hydrants.

Environmental Health - No objection in principle to this application. Request conditions in respect of electric vehicles, contamination and construction controls.

ADC Ecology - Should the proposals receive permission, conditions in respect of Biodiversity Net Gain, reptile removal, lighting scheme, precautionary trenches and nesting birds would be required.

## COMMENTS ON CONSULTATION RESPONSES:

- comments noted. It is not considered necessary to impose a condition in respect of noise insulation to the dwellings as this would be controlled by Building Regulations.

## POLICY CONTEXT

Designation applicable to site:  
Outside Built Up Area Boundary

## DEVELOPMENT PLAN POLICIES

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

CSP1	C SP1 Countryside
DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees
ENVSP1	ENV SP1 Natural Environment
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems

<a href="#">Clymping Neighbourhood Plan 2015 Policy CPN11</a>	Quality of Design
Clymping Neighbourhood Plan 2015 Policy CPN12	Reducing the risk of flooding
Clymping Neighbourhood Plan 2015 Policy CPN14	Traffic and the Environment
Clymping Neighbourhood Plan 2015 Policy CPN8	Protection of Trees and Hedgerows

## PLANNING POLICY GUIDANCE:

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

## SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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**POLICY COMMENTARY**

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

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

Policies from the made Climping Neighbourhood Plan have been taken into account when reaching a decision.

**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 contrary to policy C SP1 of the Arun Local Plan. However, when applying the NPPF tilted balance and relevant Development Plan policies the proposal is compliant in that there would be no adverse impacts on residential amenity or the character of the area which would significantly and demonstrably outweigh the benefits of the development.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

**OTHER MATERIAL CONSIDERATIONS**

It is considered that there are other material considerations to be weighed in the balance with the Development Plan. This is in the form of the Council's current lack of a 5 year housing land supply which means the NPPF's presumption in favour of sustainable development Paragraph 11 applies to applications for the provision of housing.

Paragraph 14 of the NPPF states that in situations where the 'presumption in favour of sustainable development' applies to applications involving the provision of housing, then the adverse impact of allowing development that conflicts with the neighbourhood plan will not significantly and demonstrably outweigh the benefits if four specific criteria apply. In this case, the Neighbourhood Plan is more than 2 years old and the current Arun Local Plan Housing Land Supply position is 2.4 years; so paragraph 14 does not apply since all four criteria are not met and the NP is much more than 2 years old.

**CONCLUSIONS**

PRINCIPLE

The development plan in the determination of this application consists of the Arun Local Plan (ALP) and Climping Neighbourhood Plan. In the Climping Neighbourhood Plan, the village of Climping does not have a built up area boundary but the site is adjoined by residential development on all sides and is in residential use.

Arun Local Plan key policy considerations in the determination of this application are SD SP1, SD SP2 and C SP1. Policy C SP1 states that Outside the Built-Up Area land will be defined as countryside and will be recognised for its intrinsic character and beauty.

The site is outside of the built up area boundary (BUAB) as specified by policy SD SP2 which seeks to focus development in the built up area. Due to the location outside of the BUAB development in this location would be in conflict with locational requirements of policy C SP1.

#### MATERIAL CONSIDERATIONS

The NPPF generally seeks to promote effective use of all land (para 117) and gives weight to proposals that develop under-utilised land (para 118(d)). Whilst outside the defined BUAB, contrary to Policy C SP1, there needs to be a demonstrable harm to the aims of this policy. The aims of this policy are to preserve the character and beauty of the countryside and to manage the urban/rural fringe.

The site is adjoined to the South, East and West by dwellings. To the North-East there is an industrial estate. The site is bordered by a dwelling to the North. None of the boundaries are in open countryside use and the site is bounded by built form. The impact on the character of the countryside, from the erection of 3 houses on the site is acceptable. The site lies adjacent to a recently approved site for 9 dwellings at Scyld. For these reasons, it is considered that there are other material considerations that weigh in favour of granting planning permission, contrary to the principles of the development plan.

Development of the site to provide 3 additional properties is acceptable in principle and accords with the requirements of the NPPF. Para 11d of the NPPF applies and the application should only be refused if there are significant and demonstrable negative impacts that outweigh the benefits when assessed against the policies in the Framework taken as a whole.

#### VISUAL AMENITY AND CHARACTER

The policy requires that development proposals should reflect the characteristics of the local area by amongst other things in terms of its character and design. The development has a density of 12.5dph (dwellings per hectare). The density of the development accords with adjoining development at Scyld which has a density of 14dph. Compared with densities of 18 dph at Appletree Walk and 17 dph at Mant Close and Wooldridge Walk. The proposed site is currently lower density than some of the surrounding development, but comprises an acceptable density given the range of adjacent plot densities. Forgetmenot Cottage, Langford and Wren Cottage all have significant plot sizes.

Policy CPN11 of the Clymping Neighbourhood Plan seeks to ensure that development is in keeping with its location so as to protect and enhance the character of the locality. Good design is considered to mean 'responding to and integrating with the local built environment and landscape context as described in the Clymping Character Assessment'.

Appendix 1 'Climping Character Assessment' of Climping Neighbourhood Plan identifies the application site as 'Horsemere Green Lane' where it states 'most of the houses are detached with only smaller numbers of semi detached houses' and 'Wooldridge Walk/Mant Close (39 properties) differs in that it is exclusively three bedroom detached bungalows with rendered walls and tiled roofs built around a small open green space.'

It is necessary to consider the guidance within the NPPF. Section 12 states that high quality buildings

and places are fundamental to the planning process and sets design criteria against which development proposals will be assessed including the need to be visually attractive and sympathetic to local character.

The design of the dwellings is generally acceptable. The proposal incorporates a traditional design with a simple appearance and a materials palette (comprising slate roofs and stone cladding) which is reflective of houses in the local area.

The development has been designed to make appropriate and effective use of the land available. The linear pattern of 3 single storey properties fronting the access road is acceptable and similar to that approved at Scyld.

The stretch of dwellings between Wooldridge Walk and Apple Tree Walk are of relatively modern design and mainly bungalows with reduced garden areas. The principle of the development accords with this style of development and be in keeping with what is in the area. For the reasons set out below, there are no significant and demonstrable concerns with regard to the impact on residential amenity. The principle of the proposal accords with policies D DM1 (1) and D SP1 of the ALP, CPN11 of the CNP and section 12 of the NPPF, and there are now no unacceptable amenity issues that sit alongside character issues. The development is no longer considered to be cramped given the deletion of one of the units and the reduction in height of the remaining three units.

#### RESIDENTIAL AMENITY

Arun Local Plan Policy D DM1 (3) indicates that development will be permitted if it does not result in impacts on adjoining occupiers, land, use or property. None of the NP policies specifically refer to residential amenity issues.

The Arun Design Design Guide includes a section on backland development (Part P) which states 'backland developments should demonstrate an understanding of any potential effects on the character and amenities of the neighbouring urban area. As a general rule, backland developments should be subservient to existing properties, and their layout should seek to maximise the outlook of neighbours.'

Part H of the Arun Design Guide states that amenity spaces should be of an appropriate size with rear garden depths of 10.5m but smaller gardens with adequate daylight and privacy may also be acceptable in certain circumstances, when justified. The rear garden depths are generally between approx. 10.2m and 10.5m. This depth is sufficient to conclude that there is general compliance with this part of the Guide. The Guide states that minimum back to back distances of 21m should be provided to ensure adequate levels of residential amenity are maintained and provided, but this primarily relates to 2 storey development and distances between habitable rooms. The plots provide back to back distances of between 16.2m and 21m. As mentioned above, the dwellings are between 10m and 10.2m from the west boundary of the site and only plot 2 is 21m from the rear of properties in Wooldridge Walk, but the proposed development is single storey and a condition restricting extensions in the roof area has been imposed to protect residential amenity of adjoining properties.

Officers raised concerns regarding the relationship with 30 Appletree Walk during consideration of the previous proposals. This was due to the siting of Plot 4 relative to the boundary and the height of the proposed dwelling. Plot 4 has been repositioned slightly further from the boundary and the dwelling is of a reduced scale sufficient to overcome previous concerns.

The applicant has made sufficient changes to reduce the impact on adjoining properties through the reduction in height to remove first floor accommodation and provide a better dwelling to site coverage ratio with the removal of one unit. First floor habitable rooms may have been removed from the rear of all plots, this combined with the adequate distance separation, will prevent adverse overlooking and overbearing impacts. There are no longer significant and demonstrable impacts which outweigh the

presumption in favour.

#### HIGHWAY SAFETY & PARKING

Policy T SP1 of the Arun Local Plan discusses transport issues including safe highway access. Policy CPN14 of the Climping Neighbourhood Plan seeks to reduce traffic impact from development on the local community and its environment and improve accessibility and safety for travel around the parish for drivers, pedestrians and cyclists.

Regard should also be had to paragraph 111 of the NPPF which states that: 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

The proposals would utilise an approved access from Horsemere Green Lane to the east of Scyld measuring 4.8m wide and with required visibility splays which has been approved to serve the development of nine dwellings.

The scheme provides adequate turning and parking provision for each house. All plots have a garage with 2 parking spaces in front and there is a visitor space at the north end of the access. The garages have an internal floor area of 6m by 3m resulting in a total of 8.5 parking spaces to serve the development. This level of provision is conditioned and accords with Arun's parking standards. The provision of cycle storage is conditioned.

WSCC Highways have no objection. The applicant proposes to utilise the vehicular access approved by CM/21/19/PL. They confirm they have assessed these proposals alongside CM/21/19/PL. Visibility splays in excess of 2.4m x 43m are achievable at the point of access to Horsemere Green Lane, which is suitable. It is not considered there is conflict with adopted development plan policies or with the NPPF.

Electric vehicle charging points are required and secured by condition.

#### DRAINAGE AND FLOODING

Policies W SP1 and W DM2 of Arun Local Plan and CPN12 of Climping Neighbourhood Plan require inclusion of appropriate sustainable drainage systems in developments to prevent flooding. Policy W DM3 of the ALP requires developments to incorporate a range of SUDs at an early stage of the design process.

The Council's Drainage Engineers have assessed the proposals and are satisfied with the proposals from a flood risk and drainage perspective. They state that this application is closely linked with the neighbouring development at Scyld and that the surface water drainage design at Scyld has now been modified to account for flows from both developments. They do not suggest any conditions.

#### ECOLOGY

Policy ENV DM5 of the Arun Local Plan relates to development and biodiversity. It states that development should seek to achieve a net gain in biodiversity and protect the existing habitats on site. Development should also seek to facilitate the emergence of new habitats. This can be done by a variety of different measures. Where there is evidence of an existing species on site, surveys should be undertaken, detailing the measures that will be incorporated in order to protect said species.

An Ecological Assessment Report accompanies the proposals and the Council's Ecologist has raised no objections subject to the imposition of conditions.

#### TREES

Policy ENV4 of Arun Local Plan states where there are existing trees on or adjacent to a development

site developers will be required to provide (d) tree surveys, (e) a tree constraints plan and (f) an Arboricultural Impact Assessment inclusive of a tree protection plan and arboricultural method plan. Policy CPN 8 of Climping Neighbourhood Plan refers to protection of trees and hedgerows and states that development proposals should be accompanied by a survey that establishes the health and longevity of any affected trees or hedgerows and a management plan to demonstrate how they will be so maintained.

A large number of category B & C trees have been removed prior to the submission of the application. The only specimens remaining are a group in the north western corner (some inside and some outside of the site boundary) and a small band of specimens on the western boundary. There is one category A specimen located outside of the site boundary to the north. These are shown for retention.

The Council's Tree Officer has not responded to the consultation. Landscaping conditions have been imposed to ensure sufficient screening particularly to the west boundary and a condition is imposed to ensure development proceeds in accordance with the submitted Arboricultural Method Statement.

#### **ENERGY AND CLIMATE CHANGE**

ALP policy ECC SP2 requires that all new residential and commercial development be energy efficient and incorporate decentralised, renewable and low carbon energy supply systems. ECC SP1 requires that new development be designed to adapt to impacts arising from climate change.

The development will achieve a reduction in carbon dioxide emissions through, for example, a mix of highly efficient materials, ventilation & heating systems, passive solar gains, an air-tight build and solar photovoltaic panels installed on dwellings with optimal, south-facing roof-spaces. As there are no specific details as to which dwellings will be provided with solar panels, it is necessary to impose a condition requiring approval of such energy reduction measures. It is considered the proposal complies with policies ECC SP1 and ECC SP2.

#### **SUMMARY**

The proposals do not result in significant or demonstrable adverse impacts that significantly outweigh the presumption in favour of sustainable development afforded by para 11d of the NPPF. The application is recommended for approval subject to the following conditions.

#### **HUMAN RIGHTS ACT**

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

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

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

## Duty under the Equalities Act 2010

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

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

<b>CIL DETAILS</b>
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<p>This application is CIL Liabe therefore developer contributions towards infrastructure will be required (dependant on any exemptions or relief that may apply)</p>
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<b>RECOMMENDATION</b>
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**APPROVE CONDITIONALLY**

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

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

Location and Block Plans 6099-WLA-XX-ZZ-DR-A-0002  
 Proposed Site Plan 6099-WLA-XX-ZZ-DR-A-0005 Rev A  
 Plot 3 Proposed Floor Plan and Elevations 6099-WLA-XX-ZZ-DR-A-0011  
 Plots1 and 2 Proposed Floor Plan and Elevations 6099-WLA-XX-ZZ-DR-A-0010  
 Site Habitat Plan LLD2505-ECO-FOG-001  
 Tree Retention and Protection Plan rev01  
 Tree Constraints Plan Rev.01

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the storage of plant and materials used in construction of the development,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway,
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area in accordance with policy TSP1 of the Arun Local Plan. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences.

- 4 No development above damp proof course (DPC) level shall take place until details showing

the proposed location of one fire hydrant or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service. The approved hydrant/stored water supply shall be installed in accordance with the details so approved prior to the first occupation of any dwelling. The fire hydrant shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner / occupier if the installation is retained as a private network.

Reason: In the interests of amenity and in accordance with policy INF SP1 and T SP1 of the Arun Local Plan and in accordance with The Fire & Rescue Service Act 2004.

- 5 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

- 6 Prior to occupation of any 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 retained and maintained in good working condition.

Reason: New petrol and diesel cars/vans will not be sold beyond 2030, 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 (NPPF).

- 7 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, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). 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 protect the amenity of local residents in accordance with Policy QE DM4 of the Arun Local Plan.

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

Reason: To provide car-parking space for the use in accordance with policy T SP1 of the Arun Local Plan.

- 9 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority. These spaces shall be retained in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

- 10 No construction activities shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no noisy work on Sunday or Bank/Public Holidays.

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

- 11 The development shall proceed in accordance with the enhancements detailed in the Ecological Impact Assessment (November 2021) and prior to first occupation of the development hereby approved, a Biodiversity Net Gain Plan (setting out the proposed biodiversity enhancement measures to ensure Biodiversity Net Gain on site) shall be submitted to and approved in writing by the Local Planning Authority. These measures shall include a hedgehog box and a bat box integrated into the building onsite facing south/south westerly positioned 3-5m above ground which shall be installed prior to first occupation and the approved measures shall be retained in perpetuity.

Reason: To ensure the proposals result in a net gain in biodiversity, in accordance with the Environment Act, the National Planning Policy Framework and policy ENV DM5 of the Arun Local Plan.

- 12 No windows shall be constructed in the roof at first floor level in the rear or side elevations of the dwellings hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy D DM1 of the Arun Local Plan.

- 13 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 extensions (including porches or dormer windows) to the dwelling houses shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

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

- 14 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 the development, including full details of physical works on the site, shall be submitted to and approved in writing by the Local Planning Authority before any development begins. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter.



Reason: In order to secure a reduction in the use of energy at the site in accordance with national planning policy and policy ECC SP2 of the Arun Local Plan. This is required to be a pre-commencement condition because the approved measures may need to be built into the fabric of the buildings.

- 15 The development shall proceed in accordance with the Arboricultural Impact Assessment and Method Statement rev01.

Reason: To ensure satisfactory protection of retained trees and provision of replacement trees in accordance with policy ENV DM4 of the Arun Local Plan and CPN8 of Climping Neighbourhood Plan.

- 16 No development above damp proof course (DPC) level shall take place unless and until a schedule of 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 the buildings.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

- 17 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.

- 18 INFORMATIVE: The lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding.

Guidance outlined in the new Bats and Lighting Publication produced by the Institution of Lighting Professionals and the Bat Conservation Trust Guidance Note 08/18 Bats and artificial lighting in the UK Bats and the Built Environment series publication should be adopted into the site plans ([http://www.bats.org.uk/news.php/406/new\\_guidance\\_on\\_bats\\_and\\_lighting](http://www.bats.org.uk/news.php/406/new_guidance_on_bats_and_lighting)).

- 19 INFORMATIVE: The exact position of the public sewer must be determined on site by the applicant in consultation with Southern Water.

- The 150 mm diameter gravity foul sewer requires a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future maintenance access.

- No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.

- No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of public or adoptable sewer.

- All existing infrastructure should be protected during the course of construction works.

Please refer to: [southernwater.co.uk/media/3011/stand-off-distances.pdf](http://southernwater.co.uk/media/3011/stand-off-distances.pdf)

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

- 20 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>.

- 21 INFORMATIVE: The compost heap and log pile habitats should be removed with the use of hand tools prior to works commencing. The management of the grassland for great crested newts will ensure the site remains unsuitable for reptiles too. In the highly unlikely event that reptiles are found on site, all works will cease until a suitably qualified ecologist has been contacted for advice.
- 22 INFORMATIVE: As detailed within the Preliminary Bat Survey Report (Oct 2019) precautions should be put in place for hedgehogs and the site will need to be searched carefully before works begin. If any small mammals including hedgehogs are found they should be relocated away from the construction area into surrounding suitable habitats.

Any brush piles, compost and debris piles on site could provide shelter areas and hibernation potential for hedgehogs. These piles must be removed outside of the hibernation period mid October to mid-March inclusive. The piles must undergo soft demolition.

As a precaution any trenches should be covered overnight, or a means of escape made available and any hazardous chemicals need to be suitably stored away so animals cannot access them.

<b>BACKGROUND PAPERS</b>
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[The documents relating to this application can be viewed on the Arun District Council website by going to https://www.arun.gov.uk/weekly-lists and entering the application reference or directly by clicking on this link.](https://www.arun.gov.uk/weekly-lists)

**CM/70/21/PL - Indicative Location Plan (Do not Scale or Copy)**  
**(All plans face north unless otherwise indicated with a north point)**



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