

PLANNING APPLICATION REPORT

REF NO: Y/93/22/PL

LOCATION: The Steddles
North End Road
Yapton
BN18 0DT

PROPOSAL: Variation of condition following Y/158/21/PL relating to Condition No 2 - approved plans, to include a substation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The purpose of this application is to agree revisions to the approved scheme to site a new electricity substation in a fenced enclosure with its own parking space on the site frontage. This necessitates a small reduction in the garden of plot 1. The substation will have a standard design and will be delivered by the relevant statutory undertaker. It will comprise of electrical plant housed within a chamber measuring approximately 3.13m by 2.82m and 2.26m tall. It will be enclosed by a 1.8m fencing with timber gates with capped brick corner piers and some native hedging on the southern side.
SITE AREA	0.45 hectares.
TOPOGRAPHY	Predominantly flat.
TREES	None affected.
BOUNDARY TREATMENT	The substation is to be sited adjacent to approved 1.8m high close boarded fencing.
SITE CHARACTERISTICS	Former site of a detached dwelling with large gardens. The site has been cleared and works are underway to implement the approved residential permission.
CHARACTER OF LOCALITY	Edge of settlement location but with recent built residential development to the south (Paddock View) and east (Saxon Way) plus a further committed residential scheme (Clays Farm) to the west. Two residential dwellings in large gardens to the immediate north and beyond that the Redrow development (Land at Street Buildings) and further Redrow development opposite (Land to the south of Ford Lane & East of North End Road).

RELEVANT SITE HISTORY

Y/44/22/DOC	Approval of details reserved by condition imposed under Y/158/21/PL relating to conditions 8-Method Statement	DOC Approved 24-05-22
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for service crossings, 15-materials and finishes, 16- details of screen walls and fences and 18-broadband speed.

Y/37/22/DOC	Approval of details reserved by condition imposed under ref Y/158/21/PL relating to Condition Nos 7 - mitigation method statement providing details of how existing hedgerows to be retained, protected & enhanced; 9 - decentralised & renewable or low carbon energy; 11 - foul drainage system; 12 - Construction & Environmental Management Plan; 13 - bat method statement/mitigation strategy; covered & secure cycle parking spaces; 22 - charging of electric vehicles and 25 - external lighting.	DOC Approved 26-05-22
Y/158/21/PL	Demolition of existing dwelling and outbuildings and construction of 11 No dwellings (net increase 10 units) with access, landscaping and associated works (alternative to approved Y/121/19/PL). This site is in CIL Zone 3 and is CIL Liable as new dwellings & is a Departure from the Development Plan.	ApproveConditionally 03-03-22
Y/121/19/PL	Demolition of existing dwelling & outbuildings & erection of 11 No. dwellings (net increase 10 units), access, landscaping & associated works.	ApproveConditionally 30-07-20

Permission on this site was first granted in July 2020 (Y/121/19/PL) and revised in early 2022 with the approval of Y/158/21/PL. Several conditions associated with Y/158/21/PL (including those to be agreed pre-commencement) have been discharged by Y/37/22/DOC and Y/44/22/DOC.

REPRESENTATIONS

Yapton Parish Council state an objection re materials for the fenced enclosure. YPC insist the fencing is either softened by new native hedging or provided in brick & flint. YPC request the frontage of North End Road should maintain its rural setting as reflected in all new boundary treatments located along this part of North End Road.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and are discussed in the conclusions section.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSCC HIGHWAYS - no objection. State the electricity substation will require a new dropped kerb and

this should be included in any off-site highway works as part of the section 278 agreement. Also commented that the substation & enclosure is set behind the visibility splay from the new access so will not interfere with it.

ADC LANDSCAPE OFFICER - no objection. The fencing proposals would appear suitable for location without causing conflict to visibility splays in this location. No landscape conditions required.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designations applicable to site:

Outside the Built Up Area Boundary (BUAB).

Lidsey Treatment Catchment Area.

Current/Future Flood Zone 1.

Class B Road.

CIL Zone 3; and

Area of Special Control of Adverts.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
QESP1	QE SP1 Quality of the Environment
TSP1	T SP1 Transport and Development

PLANNING POLICY GUIDANCE:

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

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD12	Open Space, Playing Pitches & Indoor & Built Sports Facilities
SPD13	Arun District Design Guide (SPD) January 2021

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan 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 relevant policies within the Yapton Neighbourhood Development Plan (YNDP) have been considered in the preparation of this report. Yapton are currently working on a revised Plan (YNDP2) and

are currently at regulation 17 stage such that it is necessary to refer to the emerging policies. The YNDP2 shows the site as being within the BUAB.

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 complies with relevant Development Plan policies in that the changes would not result in any significant harm to the character of the area and the streetscene, to the amenities of existing/future residents or to the safety of the highway.

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 material that there are permitted development rights for substations under Schedule 2, Part 15, Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). If the site of the proposed substation was on land used or owned by a statutory undertaker for the purpose of carrying out their undertaking, then the substation and accompanying fencing could be constructed under permitted development rights as the chamber itself is under the permitted cubic volume (29m³). As this application is made on land owned by the developer, planning permission is required.

CONCLUSIONS

PRINCIPLE:

The site benefits from an extant permission which has been lawfully commenced. This application seeks to add a substation and associated enclosure to the site frontage. Due to the nature of the changes, it is only necessary to re-assess the application in terms of impact on the character & appearance of the area & the streetscene, on the amenities of existing/future residents and on the safety of the highway. This report will determine whether the changes now sought cause additional harm compared to the approved scheme, and if harm is considered to arise, is it sufficient to warrant refusal.

DESIGN & CHARACTER:

ALP policy D DM1 requires development to make the best possible use of land by reflecting or improving on the character of the site/surrounding area and demonstrate a high standard of design. The Arun Design Guide is a material consideration but the only reference to substations is that section I sets out that developments should have sufficient electricity supply in order to cope with future demand.

The YNDP2 proposes a new "Yapton Contextual Appraisal and Design Guide". This states North End Road is a main street in the village and such main streets are known for their variety in enclosure to the street and there is not a continuous corridor of development. Section 2.8 states boundary treatments in the village comprise: brick and flint walling, hedgerows, metal railed fencing, post and rail fencing, tall and low walls. Section 4. j. states the visual impact of boundary materials should be sensitive to the location and in keeping with the character of the street scene. The use of flint with brick walls should be encouraged as well as using natural materials and native species of hedging and post & rail fencing.

The site to the immediate south (Paddock View by Dandara) has timber fencing (with concrete posts) to its northern boundary which is visible in the North End Road streetscene and is in only a few metres of the substation. The boundary treatment for the Steddles site approved by Y/44/22/DOC entails 1.8m high timber fencing along the southern boundary (facing the aforementioned Paddock View timber fencing) with 1.8m timber fence panels on a brick/flint wall to the frontage where the substation will sit. Therefore, there is already and would have been (but for this application) the presence of timber fencing in the local streetscene.

The proposal includes brick piers to the front corners of the fenced enclosure which will be positive whilst the fenced areas are in character with nearby boundary treatments. It is material that if this were being proposed by the appropriate statutory undertaker then they would be able to implement any chosen fence design with no need for a planning application. Due to the position of the substation, the need for front gated access and the side parking space, there is limited room for landscaping. The applicant has been able to propose some native hedging on the southern side of the substation enclosure and this will soften its appearance when approaching from the South. The council's Landscape Officer raises no concerns.

Given the nearby residential developments, the Local Planning Authority disagrees with YPC that the area still has a rural setting. There is some conflict with the emerging "Yapton Contextual Appraisal & Design Guide" but overall, the proposal is acceptable in terms of the relevant development plan policies.

HIGHWAY SAFETY:

ALP policy T SP1 seeks to ensure development provides safe access on to the highway network and provide appropriate levels of parking. Beyond the initial construction of the substation, the associated parking space will only be used occasionally for maintenance purposes and as such, WSCC Highways raise no objections and do not anticipate any concerns with highway safety or capacity. There are no standards in the council's guidance for substation parking but 1 space is likely to be sufficient for those times when access is required.

EXISTING/FUTURE RESIDENTIAL AMENITY:

ALP policy D DM1 requires there be minimal impact to users/occupiers of nearby property and land. Policy QE SP1 requires all development contribute positively to the quality of the environment and ensure development does not have a significantly negative impact on residential amenity. The Arun Design Guide (section H.04) requires that rear gardens be at least 10.5m deep.

Electric substations are commonly found in close proximity to dwellings and are able to co-exist in such situations. Permission was recently granted for a substation in a central part of the Bonhams Field, Yapton development site (Y/117/21/PL) and the submission was accompanied by a noise assessment which concluded the noise from the substation would have no adverse impact on the adjacent residential occupiers. This position was accepted by the council's Environmental Health officers.

The rear garden of plot 1 is to be reduced to accommodate the substation and its parking space however

the garden depth is not affected, and the rear garden is also very wide (approx. 11.5m) plus there is a side garden. As such, there is no harm to the amenity of existing or future residents arising from the substation development.

CONDITIONS:

The approved development has been implemented and many of the previous conditions imposed on Y/158/21/PL have been discharged and are now relevant only insofar as they relate to details approved by them. It has been necessary to amend previous conditions 2, 7, 8, 9, 11, 12, 13, 15, 16, 18, 19, 22 & 25 to reference either new plans or the previous condition approvals. Previous condition (10) relating to the implementation of tree protection measures has been deleted because the Tree Officer visited the site to check compliance. Previous condition 1 has also been deleted as the development has been implemented. No new conditions have been added.

SUMMARY:

The scheme will not result in any demonstrable harm to local character, the natural environment, highway safety or residential amenity. As per the NPPF, para 11(c), development proposals that accord with an up-to-date development plan should be approved without delay. It is therefore recommended that this section 73 planning application be granted subject to the following updated 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.

RECOMMENDATION

APPROVE CONDITIONALLY

1 The development hereby approved shall be carried out in accordance with the following

approved plans:

Site Location Plan 0001 Rev P03.
Proposed Block Plan 0002 Rev P04.
Proposed Site Plan 0003 Rev P05.
Plots 1 & 7 Floor Plans, Elevations, Roof Plan 0005 Rev P04.
Plot 2 Floor Plans, Elevations, Roof Plan 0006 Rev P04.
Plots 3 & 8 Floor Plans, Elevations, Roof Plan 0007 Rev P04.
Plots 4 & 11 Floor Plans, Elevations, Roof Plan 0008 Rev P04.
Plots 5 & 6 Floor Plans, Elevations, Roof Plan 0009 Rev P04.
Plots 9 & 10 Floor Plans, Elevations, Roof Plan 0010 Rev P04.
Proposed Car Ports 0011 Rev P02.
Proposed Ecological Enhancement Plan SDL-MHA-00-XX-DR-A-0020 Rev P01.
Tree Protection Plan, dwg. no. 2382-02-P2.
Proposed External Works Plan 0102 Rev C02; and
Electricity Sub Station Plans, Elevations & Detail Dwg No SDL-MHA-ZZ-XX-DR-A--0305-P01.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1, QE SP1, ENV DM4, ENV DM5 and T SP1 of the Arun Local Plan.

- 2 The development shall proceed in full accordance with the approved surface water drainage scheme and management & maintenance regime as set out in the following documents that were previously approved by Y/158/21/PL:

435409/01/P8 Drainage General Arrangement;
435409/02/P7 Drainage Construction Details; and
435409 SuDS Maintenance and Management Plan dated 07/01/22.

The drainage scheme shall be implemented in accordance with the approved scheme prior to occupation of any of the dwellings and permanently retained in good working order in perpetuity. The owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan.

- 3 The development must be carried out in accordance with the "Proposed Ecological Enhancement Plan" (drawing SDL-MHA-00-XX-DR-A-0020 Rev P01) with the exception that the bat box shown on the southern aspect of plot 8 must be moved to the northern aspect of plot 7. The enhancements and mitigation measures shown on the drawing shall be implemented in full and permanently retained and thereafter maintained as fit for purpose.

Reason: In accordance with Arun Local Plan policy ENV DM5 and the NPPF.

- 4 No demolition/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 (defined as not involving any machinery/plant) on Sunday or Bank/Public Holidays.

Reason: To protect the amenity of local residents and on-site biodiversity in accordance with policies ENV DM5, QE SP1 and QE DM1 of the Arun Local Plan and the NPPF.

- 5 Any brush piles, compost or debris piles on the site must only be removed outside of the hedgehog hibernation period (mid-October to mid-March inclusive) unless first checked by a qualified ecologist. If any small mammals are found then they must be relocated away from

the construction area into surrounding suitable habitats. All piles removed outside of the hedgehog hibernation period must undergo soft demolition.

Reason: To mitigate harm to any hedgehogs using the site in accordance with Arun Local Plan policy ENV DM5 and the NPPF.

6 The development shall proceed in full accordance with the hedgerow mitigation method statement as approved through application ref Y/37/22/DOC on 13/05/22

Reason: Bats use the hedgerows for foraging and commuting and therefore in accordance with the NPPF and policy ENV DM5 of the Arun Local Plan.

7 All activity at the site is to be carried out in strict accordance with the approved Arboricultural Impact Assessment & Method Statement, Ref: 2382 Rev-01, 7 October 21 and the documents subsequently approved on 24/05/22 through application ref Y/44/22/DOC, namely:

- Tree Constraints Plan (1892-01-01);
- Tree Retention Plan (2382-02-P1); and
- Tree Protection Plan (2382-02-P2).

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

8 The development shall proceed in full accordance with the energy minimisation approach as approved through application ref Y/37/22/DOC on 13/05/22 and the approved measures shall be 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.

9 The development shall proceed in full accordance with the foul drainage scheme as approved through application ref Y/37/22/DOC on 13/05/22 and no dwelling shall be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details.

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul sewerage in accordance with policies W DM1 and W DM3 of the Arun Local Plan.

10 The development shall proceed in full accordance with the Construction & Environmental Management Plan as approved through application ref Y/37/22/DOC on 26/05/22. The approved Plan shall be implemented and adhered to throughout the entire construction period.

Reason: In the interests of the safety/amenity of nearby residents & occupiers of any nearby noise sensitive premises, the safety & general amenities of the area and in the interests of highway safety in accordance with policies D DM1, QE SP1, QE DM1, QE DM2, QE DM3 and T SP1 of the Arun Local Plan and the NPPF.

11 The development shall proceed in full accordance with the Bat Mitigation Class Licence ref WML-CL21 which was confirmed as being sufficient to discharge the relevant condition through application ref Y/37/22/DOC on 13/05/22. The development shall thereafter proceed in accordance with the approved Licence.

Reason: Bats use the site for commuting/foraging and are known to roost within the Dwelling known as "The Steddles" and therefore in accordance with the NPPF and policy ENV DM5 of

the Arun Local Plan.

- 12 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. The scheme shall ensure that two native trees are planted for each one lost.

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

- 13 The development shall proceed in full accordance with the materials approved through application ref Y/44/22/DOC on 24/05/22 and these details shall be permanently retained.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and local character in accordance with policy D DM1 of the Arun Local Plan.

- 14 The development shall proceed in full accordance with the boundary treatments approved through application ref Y/44/22/DOC on 24/05/22 and no dwellings shall be occupied until such hard boundary treatments associated with them have been erected.

Reason: In the interests of amenity and of wildlife in accordance with policies D DM1 and ENV DM5 of the Arun Local Plan and the NPPF.

- 15 No development above damp proof course (DPC) level shall take place unless and until details are provided and approved in writing by the Local Planning Authority to show how at least two of the 1/2/3 bedroom houses will be delivered to meet M4(2) of the Building Regulations 2010 (as amended). These particular dwellings shall thereafter be delivered in accordance with the approved details and these shall be maintained in good working condition thereafter.

Reason: To ensure that part of the development allows for residents to remain in their own homes over the course of their lifetime in accordance with policy H3 of the Yapton Neighbourhood Development Plan and policy D DM1 of the Arun Local Plan.

- 16 The development shall proceed in full accordance with the proposed broadband connection arrangements as approved through Y/44/22/DOC on 24/05/22. The development of the site must continue in accordance with the approved strategy.

Reason: To safeguard the amenities of future residents in accordance with Arun Local Plan policy TEL SP1.

- 17 Covered and secure cycle parking spaces shall be provided in accordance with the plans and details approved through Y/37/22/DOC on 26/05/22. These spaces so provided shall then be retained in perpetuity.

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

- 18 No part of the development shall be first occupied until the vehicle parking (including the

garage and car ports) and turning spaces have been constructed in accordance with the approved plan. These parking spaces, car ports and garages shall thereafter be retained for their designated use.

Reason: In the interests of road safety and to provide adequate on-site car parking & turning space for the development in accordance with Arun Local Plan policy T SP1.

- 19 No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled Proposed Site Plan and numbered 003 P05.

Reason: In the interests of road safety in accordance with Arun Local Plan policy T SP1.

- 20 Electric vehicle charge points shall be provided in accordance with the plans and details approved through Y/37/22/DOC on 26/05/22. These 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 NPPF.

- 21 Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained and in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan.

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

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

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

- 23 Lighting on the site shall be in full accordance with the details approved through Y/37/22/DOC on 26/05/22. The lighting approved shall be installed and maintained in accordance with the approved details

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

- 24 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 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.

25 All bathroom, dressing room and toilet windows hereby approved shall be glazed with obscured glass and permanently retained thereafter.

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

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

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

27 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) there shall be no rear extensions or outbuildings constructed in the curtilages of plots 5, 6 or 11 unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To maintain adequate private amenity space and to protect important trees in accordance with policies D DM1 and ENV DM4 of the Arun Local Plan.

28 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) there shall be no alterations to any of the approved car ports within the site (plots 1, 2, 3, 4, 7, 8 & 11) unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To maintain an adequate supply of parking spaces within the development in accordance with policy T SP1 of the Arun Local Plan.

29 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.

30 INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or

www.southernwater.co.uk. Please read the New Connections Services Charging Arrangements documents which is available to read on the following website: <https://beta.southernwater.co.uk/infrastructurecharges>.

- 31 INFORMATIVE: A surface water drainage verification condition guidance note is available at <https://www.arun.gov.uk/drainage-planning-consultations>, this clearly sets out our requirements for discharging this condition
- 32 INFORMATIVE: The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
- 33 INFORMATIVE: The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.
- 34 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.
- 35 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.
- 36 INFORMATIVE: A Natural England Protected Species License will be required for the works to the existing house and this will need to be obtained prior to any works taking place.
- 37 INFORMATIVE: The applicant's attention is drawn to the requirements of the Environmental Protection Act 1990 and the Clean Air Act 1993 with regard to burning on site. A statutory nuisance may be caused by smoke and ash from fires or noise from the cutting or chipping trees. In addition, air quality could be adversely affected on large projects. The granting of this planning permission does not permit a statutory nuisance to be caused. The Environment Agency should also be contacted regarding Exemption Permits to burn on site. 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 737555.
- 38 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 09/11/21) as available on the Councils website.

BACKGROUND PAPERS

[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](https://www.arun.gov.uk/weekly-lists)

[this link.](#)

Y/93/22/PL - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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