

PLANNING APPLICATION REPORT

REF NO:	Y/1/24/PL
LOCATION:	Paddock adjoining Stakers Farm North End Road Yapton BN18 0DU
PROPOSAL:	4 No. dwellings comprising 2 x 3-bed semi-detached houses and 1 x 4-bed and 1 x 5-bed detached house with associated car ports, cycle and bin storage, parking, landscaping and internal access road (resubmission following Y/7/23/PL). This application affects the setting of listed buildings, affects the character and appearance of the Main Road/Church Road Conservation Area and is in CIL Zone 2 and is CIL Liable as new dwellings.

<b>SITE AND SURROUNDINGS</b>
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DESCRIPTION OF APPLICATION	As above, four two storey dwellings.
SITE AREA	2750.00sqm.
RESIDENTIAL DEVELOPMENT DENSITY	15 dwellings per hectare.
TOPOGRAPHY	Predominantly flat. The site sits on a considerably higher ground than that of the highway (up to 1m).
TREES	There are mature trees on site which will be affected by the development.
BOUNDARY TREATMENT	The site is surrounded by a flint wall to the east, west, south and partially to the north. The wall along the western boundary and to the south-east is partially destroyed.
SITE CHARACTERISTICS	A small paddock area which was a part of Stakers Farm. It is adjacent to the Listed Building of Stakers Farmhouse which is a 19th century farmhouse adjacent to the farm access. Along the western boundary are mature trees. Enclosing this piece of land and the Farmhouse is a flint wall which is the Listed curtilage of Stakers Farmhouse. The site forms part of the Main Road and Church Road Conservation Area.
CHARACTER OF LOCALITY	Predominantly residential area with a mix of dwelling types and size. The site is in North End Road in the curtilage of Stakers Farm House within a conservation area in the built-up area boundary of the village and is bordered by farmland stabling and barns. Development in this section of North End Road is broadly linear in nature and semi-rural in character. A Right of Way runs to the north-east of the site from North End Road providing access to Langmeads Farm. To the north-west is a development at Bonhams Field consisting of 56 units currently under construction.

<b>RELEVANT SITE HISTORY</b>
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Y/7/23/PL	Erection of 4. No dwellings comprising 2 x 3-bed and 2 x 4-bed detached houses with associated garages, parking, landscaping and internal access road. This application affects the setting of listed buildings, affects the character and appearance of the Main Road/Church Road Conservation Area and is in CIL Zone 2 and is CIL Liable as new dwellings.	Refused 04-04-23
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Y/80/10/ for erection of 2 detached dwellings and double garage and provision of 4 additional street parking spaces was refused on the grounds of inadequate visibility provision at the access point to serve the development.

Y/29/10/ for of 6 dwellings was refused, challenged by appeal, appeal dismissed.

Y/7/23/PL for the erection of 4. No dwellings comprising 2 x 3-bed and 2 x 4-bed detached houses with associated garages, parking, landscaping and internal access road was refused on 4 April 2023 for the following reasons:

- (1) Failure to reflect the established pattern and layout of the development in the area resulting in harm to the visual amenity and character of the area;
- (2) The proximity and relationship of the dwelling to neighbouring residential properties would create unacceptable living conditions for the occupants of adjoining properties through overlooking;
- (3) Adverse harm on the character and appearance of the Main Road and Church Road Conservation Area by reason of the loss of the gap in the street scene;
- (4) The development would erode the link between the farmhouse and the paddock and adversely affect the setting of the listed / curtilage Stakers Farm, resulting in impact to the architectural and historic significance of Stakers Farmhouse;
- (5) Insufficient ecological information;
- (6) Lack of a drainage impact assessment;
- (7) The proposal would result in a net loss of site habitat units.

This current application has sought to address these previous reasons for refusal.

<b>REPRESENTATIONS</b>
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Yapton Parish Council - Objection:

- The Paddock is significantly raised in level, in comparison with North End Road. The streetscape drawings clearly demonstrate that the ridge height of the adjacent new houses will be significantly higher than existing unit Raynham.
- The units will have an overbearing effect on this property and dominate this section of North End Road.
- Detrimental impact on the nearby conservation areas and Grade 2 Listed Stakers Farmhouse and its setting.
- The development is too dense for such a sensitive site in terms of biodiversity and heritage assets.
- Request that a reduced number of houses be considered.
- The scheme fails to reflect the heritage of this rural part of Yapton.
- Request the application is refused, or deferred until a less dense scheme can be agreed.

9 letters of objection received from nearby occupiers. General issues raised regarding:

- The village is in danger of being very overdeveloped.
- Harm to the character and appearance of the conservation area.
- Impact to the traffic in North End Road and the rest of the village.
- Concern regarding bats in the area.
- Destruction of wildlife in this location.
- Increase in flood risk within the area.
- Overdevelopment of North End Road.
- Loss of green space.
- No need for a further 4 homes.
- Access to the site and exiting onto North End Road has the potential of being unsafe for pedestrians.
- Lack of infrastructure for new occupiers.
- Loss of the gap between Raynham and Stakers Farmhouse.
- Overlooking of surrounding homes.
- Queries regarding whether Listed Building Consent is also required.
- Mix, style and massing is considered to be inappropriate.
- Concerns over contamination, and whether the site is safe for human habitation.
- Concerns regarding the flint wall.

#### **COMMENTS ON REPRESENTATIONS RECEIVED:**

Comments noted.

#### **CONSULTATIONS**

#### **CONSULTATION RESPONSES RECEIVED:**

##### **ADC DRAINAGE ENGINEERS:**

No objection subject to conditions. Concern raised in regard to the drainage of the flint wall, and will be addressed as part of a condition.

##### **ADC TREE OFFICER:**

Holding objection. The applicants are required to submit an Arboricultural Impact Assessment, inclusive of a Tree Survey Schedule, Root Protection Area (RPA) Schedule' and 'Tree Constraints Plan'. If any RPA overlaps the development, an Arboricultural Method Statement and Tree Protection Plan must be provided.

##### **ADC CONSERVATION OFFICER:**

The impact can be described as causing less than substantial harm in accordance with paragraph 202 of the NPPF (2023). As a consequence, the application should be determined in accordance with the relevant policies in the Development Plan. Consideration of the public benefits of the development that may be achieved along with the contents of section 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 must be assessed.

The proposal fails to include a separate Listed Building Consent application for the works to the curtilage listed boundary walling.

##### **ADC ENVIRONMENTAL HEALTH:**

No objection subject to conditions regarding contaminated land, contamination verification, construction management plan, construction hours and unexpected contamination.

**ADC ECOLOGY:**

No objection subject to conditions.

**WSCC HIGHWAYS (LHA):**

No objection. The LHA does not consider the proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impact on the operation of the highway network. There are no transport grounds to resist the proposal. Request conditions for construction plant and materials, and vehicle parking and turning.

**CONSERVATION AREA ADVISORY PANEL:**

Objection. The paddock as one of the few remaining open spaces in Yapton village is important to the rural character of this part of the conservation area and to the setting of Stakers Farmhouse to the north. The imposing grouping of farmhouse, ancillary farm buildings to the west and related field to the south is important to the rural character of North End Road and as a remnant and reminder of the agricultural basis of the village. Development on the site will materially detract from and harm the setting of Stakers Farmhouse and the character and appearance of the conservation area. Reasons for refusal numbers 3 and 4 of Y/7/23/PL remain extremely valid and that the proposal conflicts with the relevant paragraphs of the NPPF and policies contained in the ALP relating to the protection of designated heritage assets and their settings.

**SOUTHERN WATER:**

Requires a formal application for a connection to public foul. Full comments are online.

**COMMENTS ON CONSULTATION RESPONSES:**

Comments noted. Requested conditions applied.

The lack of a Listed Building Consent application can be resolved separately, as the planning permission can be granted prior to consent. Listed Building Consent will only be required should the permission be implemented.

Documents requested by the Tree Officer have been submitted, and a consultation request has been sent for further comments. The Tree Officer is considering the amended details.

**POLICY CONTEXT**

Designation applicable to site:  
Built Up Area Boundary  
Current/Future FZ1  
Low groundwater risk  
Small area of high surface water risk in north corner  
TPO/Y/1/10  
Within the Main Road/Church Road Conservation Area  
Lidsey Treatment Catchment Area  
Within the setting of Listed Buildings  
CIL Zone 2

**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
ECCSP2	ECC SP2 Energy and climate change mitigation
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment
QEDM4	QE DM4 Contaminated Land
QESP1	QE SP1 Quality of the Environment
SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
TSP1	T SP1 Transport and Development
WDM1	W DM1 Water supply and quality
WDM2	W DM2 Flood Risk
WDM3	W DM3 Sustainable Urban Drainage Systems

[Yapton Neighbourhood Development Plan 2011-2031 Policy BB1](#)

Built-up Area Boundary

Yapton Neighbourhood Development Plan 2011-2031 Policy E11

Minimising the impact of flooding from development

Yapton Neighbourhood Development Plan 2011-2031 Policy E4

Minimising the environmental impact of development

Yapton Neighbourhood Development Plan 2011-2031 Policy E5

Retention and enhancement of biodiversity

Yapton Neighbourhood Development Plan 2011-2031 Policy E8

Conservation Areas and Areas of Character

Yapton Neighbourhood Development Plan 2011-2031 Policy H1

Housing Requirement

Yapton Neighbourhood Development Plan 2011-2031 Policy H4

Quality and Design

Yapton Neighbourhood Development Plan 2011-2031 Policy H5

Energy Efficiency/Environmental Sustainability

Yapton Neighbourhood Development Plan 2011-2031 Policy PK1

Parking standards for new residential development

**PLANNING POLICY GUIDANCE:**

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

**SUPPLEMENTARY POLICY GUIDANCE:**

SPD11	Arun Parking Standards 2020
SPD13	Arun District Design Guide (SPD) January 2021

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.

#### **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 it would not result in adverse harm to visual amenity, character of the area, nor the residential amenity of the locality.

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.

#### **LISTED/CONSERVATION AREA**

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

"In considering whether to grant Listed Building Consent for any works, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Where the building is located in a Conservation Area, Section 71(1) of the Act states:

In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal would comply with these criteria, as the proposal would result in less than substantial harm which would be outweighed by public benefits.

#### **OTHER MATERIAL CONSIDERATIONS**

There are no other material considerations to be weighed in the balance with the Development Plan.

#### **CONCLUSIONS**

##### **PRINCIPLE**

The site is in the Built-up Area Boundary where development is acceptable in principle in accordance with policy SD SP2 of the Arun Local Plan, provided it accords with other policies. These will be assessed in relation to the sections outlined below.

The key policies are D SP1, D DM1, D DM2, HER DM1, HER DM3, ENV SP1 and T SP1 of the Arun

## Local Plan.

Policy D SP1 of the Arun Local Plan requires development to make efficient use of land reflecting the characteristics of the site and local area and policy D DM1 states that a high standard of architectural principles should be demonstrate and new development should have a minimal impact to users and occupiers of nearby properties and land. Policy D DM2 expects internal spaces to meet the requirements of Nationally Described Space Standard. Policies HER DM2 and HER DM3 stresses the importance of the historic environment and its preservation and in policy ENV SP1 Arun District Council encourages and promotes the preservation, restoration and enhancement of biodiversity and the natural environment.

Policy BB1 of the Yapton Neighbourhood Development Plan (YNDP) supports development proposals within the built-up area boundary subject to compliance with other policies in the development plan. The site is in the built up area in the YNDP2.

The NPPF gives a presumption in favour of sustainable development (paragraph 11), generally seeks to promote the effective use of all land (para 123). Paragraph 11(c) states that development proposals that accord with an up-to-date development plan should be approved without delay. 11(c) is relevant in this case as the proposal falls within the Built Up Area Boundary and will be determined under an active adopted Local Plan and Neighbourhood Development Plan.

NPPF para 128 supports the effective and efficient use of land for sites in the built-up area but advises development should maintain an area's prevailing character and setting (including residential gardens) and secure well-designed, attractive, and healthy places.

The principle of development of this site is considered acceptable as per para 11 (c) of the NPPF but must be weighed up against the resultant harm of the proposal in regard to other material planning considerations. This will be discussed further under the headings below.

## DESIGN AND VISUAL AMENITY

Policy D SP1 of the Arun Local Plan states that development should seek to make efficient use of land but reflect the characteristics of the site and local area, in matters such as layout, density, scale, mix, character, landscaping, materials, finish and architectural details. Policy D DM1 looks at aspects of form and design quality, including character, attractiveness, innovation, residential amenity impact, adaptability, density, scale, trees, crime prevention. New buildings should be harmonious with their surroundings and successfully integrate with the existing surrounding environment.

The Arun Design Guide Supplementary Planning Document (SPD) is a material consideration in the determination of applications. Part P.O1 deals with infill development and requires development to respond positively to the character, appearance, and layout of surrounding buildings to provide high quality development which enhances amenity for surrounding and new residents.

Para 135 of the NPPF details the design requirements for new developments, including that developments should function well, are visually attractive and sympathetic to local character and history, have an appropriate mix of development including green and public space and create places that are safe, inclusive, and accessible.

The National Design Guide was published on 1 October 2019. Part C1 maintains that well-designed places are:

- based on a sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design;

- integrated into their surroundings so they relate well to them;
- influenced by and influence their context positively; and
- responsive to local history, culture, and heritage.

The locality contains a mix of property styles constructed from a number of materials; bricks, flint, and stucco, together with natural slate or plain clay tiles for the roofs. The majority of surrounding properties are two storey detached units set within spacious plots. The proposal consists of 4 dwellings, two detached 4 and 5 bed dwellings, and two 3 bed semi-detached. These would be in a linear arrangement along the site, with the two larger detached properties set slightly forward from the semi-detached and would continue the set linear composition of the street scene along this site. The plots are spacious and relative to the scale and massing of the associated housing. The materials vary on the property, but will comprise a mix of red brick, quoins, tile banding and hanging, brick dentil course, painted render, slate tiles, and clay tiles. These materials are all reflective of the existing materiality of the area and will ensure visual integration with the local vernacular.

Plots 1 and 2 will comprise two dwellings of the same style; with brick and tile hanging, main gable roofs, and gable roof porches to the principal elevation, with plain clay tiles. These plots are more generic in their design and style, but still maintain a traditional character appropriate for this area.

Plot 3 will be larger in its massing, and comprise a three storey detached property, with gable roof and gable end projection to the principal elevation, and gable roof canopy to the front access door. Slate tiles will be used to the roof, and brick to the exterior walls. The design appears closely matching to neighbouring property Myrtle Cottage, two plots south of the site. This plot is in keeping with the character of the street scene.

Plot 4 will be two and half storeys and will have a design reflecting the style and architectural features of both Raynham to the south, and Stakers Farm to the north. There are a number of other properties within the vicinity with a similar design, and as such the design of this plot will be highly in keeping and sensitive to the local character, and the appearance of the street scene.

As a result of their subservient and sympathetic designs, the proposal would successfully integrate into the local context and its surroundings and would reflect the character of the area. Whilst it is noted that the ridgelines will be slightly higher than the neighbouring properties, given all plots are set away from the street scene and the designs are in keeping with the character of the locality, they will not unduly dominate or obstruct the surrounding properties or street scene. Whilst the dwellings would close the gap in the street, the arrangement, design, and massing of these dwellings would appropriately reflect the character of the area and would have minimal harm to visual amenity. They respond successfully to the surrounding context, integrate with their surroundings, are clearly influenced by their context, and responsive to the local heritage of this area, in accord with the National Design Guide.

The proposal would not result in harm to the character and visual amenity of the area and is compliant with policies D DM1 and D SP1 of the Arun Local Plan, H4 of the Yapton Neighbourhood Development Plan, relevant paragraphs of the NPPF, the Arun Design Guide (SPD) and the National Design Guide.

## RESIDENTIAL AMENITY

Arun Local Plan policy D DM1 requires that the Council have regard to certain aspects when considering new development including: (3) Impact - "Have minimal impact to users and occupiers of nearby property and land. For example, by avoiding significant loss of sunlight, privacy and outlook and unacceptable noise and disturbance." Policy QE SP1 states: "The Council requires that all development contributes positively to the quality of the environment and will ensure that development does not have a significantly negative impact upon residential amenity, the natural environment or upon leisure and recreational



activities enjoyed by residents and visitors to the District."

One of the 'core planning principles' of the NPPF is to 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, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The Arun Design Guide sets out guidance on interface distances between dwellings and these are: 21m for back to back, 16m for front to front and 14m for front/back to side. There are no minimum side to side distances, however given the spatial composition of the street scene, good sized gaps between dwellings should be retained.

The proposal would retain approximately 2m to the southern boundary with the side elevation of Raynham, 37.5m to the rear elevation of the developments in Bonhams Field and 34m to the side elevation of Stakers Farm. These distances exceed the minimum distances recommended by the Arun Design Guide and will not result in any overbearing or overshadowing of neighbouring properties.

All plots would include windows to side elevations. However, none of the openings proposed would result in adverse overlooking of neighbouring properties. Obscure glazing has been proposed where necessary, which will help preserve privacy and amenity of occupiers.

Sufficient amenity space has been provided throughout the site, and therefore the quality of the environment proposed for future occupiers is acceptable.

The proposal will not result in adverse harm to residential amenity and is in accord with D DM1 and QE SP1 of the Arun Local Plan, and the Arun Design Guide.

## HERITAGE ASSETS

HER SP1 states designated heritage assets including Listed Buildings and their settings and Conservation Areas will be given the highest level of protection and should be conserved and enhanced in a manner appropriate to their significance. HER DM1 remarks that proposal affecting statutory Listed Buildings will be required to protect and where possible enhance the setting of the building and HER DM3 stresses that development which adversely affects the setting, character, appearance of or views in to and out of a conservation area will be refused.

Policy E8 of the YNDP requires development proposals to preserve or enhance the character of conservation areas. They are expected to be suitably designed for the context within which they are set. Policy E9 stresses the importance of the protection of setting listed buildings.

It is necessary to consider guidance in the NPPF which sets out several steps when considering impact on heritage assets. Para 200 requires applicants to describe the significance of heritage assets affected, including any contribution made by their setting. Para 201 requires Local Planning Authorities to identify and assess the particular significance of the heritage asset that may be affected by a proposal. The Local Planning Authority must then consider the level of harm associated with the proposal and decide whether there is any harm and if so, whether this is 'less than substantial harm' or 'substantial harm'. It is then necessary to counterbalance harm with the level of public benefits associated with the proposal (as set out in para 208).

Paragraph 206 of the NPPF stresses that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification and paragraph 208 states that where a development proposal will lead

to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The site, a small paddock area, lies in the Yapton Church Road and Main Road Conservation Area in the setting of Stakers Farmhouse to the north of the site and Yew Tree House (opposite). They are of a very similar appearance with stuccoed facades and multi paned sash windows and dormers and are Grade II Listed Buildings. The mid C.19 barns to the west and south-west of the listed farmhouse are curtilage listed, given their age and association with the main farmhouse. The farm is a good example of a former working farmstead of the early C.19, with historical sources indicating that the origins of the farm can be traced to 1699. The Farmhouse, associated barns, and paddock, all contribute positively to the character of the conservation area and village. The buildings have high significance derived from their architectural and historic interest. Enclosing this piece of land and the Farmhouse is an approximately 2m high flint wall which runs entire length of the boundary and is curtilage listed as part of Stakers Farmhouse and central to the Yapton Church Road and Main Road Conservation Area.

The site contributes to Stakers Farm's architectural interest. Whilst housing development in the locality means the setting of farmstead in the wider agricultural landscape is now lost, references to its agricultural connection are maintained though the paddock to the south, which is one of the last vestiges of the agricultural setting to the farmstead.

The proposal would result in the complete redevelopment of the site, and introduction of 4 dwellings with associated landscaping, car ports and parking spaces. Whilst this would result in the closure of the gap within the street scene of the conservation area and between Raynham and Stakers Farmhouse, the scale, massing, design, and composition of the dwellings would be reflective of their surroundings and in keeping with the character of the conservation area. They would reflect the positive architectural features of the nearby listed buildings and would not unduly harm their significance.

The Conservation Officer concluded that the impact can be described as causing less than substantial harm in accordance with paragraph 208 of the NPPF. The public benefits that the development may achieve need to be considered as part of the assessment of the application, along with the contents of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended). The proposal for four dwellings would result in economic gains in terms of providing employment during the construction phase, and these economic benefits weigh in the schemes favour. The proposal meets the social objective, making a very modest contribution of 4 new homes to the district's housing supply. Para 208 states that the proposal should secure the sites optimum viable use. The site is unused and would be suitably located in a sustainable village centre. The addition of 4 houses would be a sufficient number to positively benefit the housing land supply, whilst ensuring minimal impact on the density of buildings on the site and undue detriment to the street scene and surrounding heritage assets. The provision of four dwellings in the built up area is a public benefit as it would mean less need for development outside the built up area boundary. As such, it is evidenced that the proposal would provide the optimum viable use for this site.

The proposal would result in the rebuilding of the flint wall currently in disrepair along North End Road, and subject to the flint wall being satisfactory to the opinion of the Conservation Officer, this would enhance the visual appearance of this section of the street scene.

The public benefits of the development sufficiently outweigh the harm caused to the listed building and its setting and to the character of the Main Road and Church Road Conservation Area. The proposal is compliant with policies HER SP1, HER DM1 and HER DM3 of the Local Plan, policies E8 and E9 of the Yapton Neighbourhood Development Plan, the NPPF (2021) and Section 66 of the Act.

## INTERNAL AND EXTERNAL SPACE STANDARDS

Policy D DM2 of the Arun Local Plan requires internal spaces to be an appropriate size to meet the requirements of all occupants and their changing needs. Section J.08 of the ADC Design Guide SPD reiterates the need to comply with the national internal space standards.

The application proposes GIAs of 120m<sup>2</sup> and 108m<sup>2</sup> for Plots 1 and 2. This meets the minimum requirement of 102m<sup>2</sup> for a 3 bed 6 person dwelling. Plot 3 proposes a GIA of approximately 200m<sup>2</sup>, which exceeds the minimum requirement of 130m<sup>2</sup> for a 4 bed 8 person dwelling. Plot 4 proposes a GIA of approximately 200m<sup>2</sup>, which exceeds the minimum requirement of 134m<sup>2</sup> for a 5 bed 8 person dwelling. As a result, all internal space standards are acceptable, and in accord with D DM2 of the Arun Local Plan and Nationally Described Space Standards.

Paragraph H.04 of the Arun Design Guide SPD advises that outdoor amenity spaces should be of an appropriate size and shape and be usable and enjoyable. It states rear gardens should have a minimum depth of 10.5m and buildings should be set back by 2m from the plot boundary to mark defensible space.

Each property would benefit from a rear garden of an appropriate shape and size. The proposals accord with the guidance in the ADC Design SPD and policy QE SP1 of Arun Local Plan which requires all development to contribute positively to the quality of the environment.

## SITE ACCESS, PARKING AND HIGHWAYS IMPACT

Policy T SP1 of the Arun Local Plan requires development proposals to provide safe access on to the highway network and to incorporate appropriate levels of parking in line with adopted planning policies. The ADC Parking Standards (SPD) sets out the vehicle/cycle and EVCP parking standards. Policy T DM1 requires that development be in easy access of established non-car transport modes/routes and also seek to contribute to the improvement of such routes & facilities.

Policy PK1 of the YNDP requires a minimum standard for the provision of off-road parking:

3 bed = 2 spaces

4 bed = 3 spaces

5 bed = 4 spaces

The Arun Parking Standards SPD requires for properties in Parking Behaviour Zone 1 to provide the following minimum number of parking spaces:

3 bed = 2 spaces

4+ bed = 3 spaces

The proposal will provide 2 parking spaces for Plot 1 (3 bed), 2 spaces for Plot 2 (3 bed), 3 spaces for Plot 3 (4 bed) and 3 spaces for Plot 4 (5 bed). One of the spaces for each of plot 2-4 is in a car port measuring 3m x 6m. This meets the requirements of the Arun Parking Standards. It falls one space short of the minimum standard set by the YNDP, however this is not of significant concern and does not warrant refusal.

Visitor parking is required to be provided at a ratio of 20% of the total number of residential units. In this case, 4 units are provided, and therefore 0.8 visitor parking spaces are required. 1 visitor parking space is provided on site, meeting this requirement.

Cycle parking is required, with 3+ bed dwellings needing to require 2 cycle spaces. All properties are provided with 2+ secure and covered parking spaces, meeting this requirement. Plot 1 has cycle parking in a specialist facility whilst plots 2-4 have cycle parking to the rear of the car port. EV charging points are

to be incorporated in the car ports, however it is unclear whether EV charging will be provided for Plot 1. An EV charging point condition will be applied to ensure all properties on site are provided with EV charging, in line with Arun Policy.

The access to the site is served via a bell mouth onto the private access and will use an existing access onto North End Road. This would be 4.1m wide, with a 3m kerb radii to the south and 2m radii to the north. Visibility splays of 2.4m by 43m are achievable and in line with the speed of the road. WSCC Highways have been consulted and have provided no objection. The access to the site is acceptable, and the addition of 4 dwellings to this location will not result in a severe increase in vehicle movements at this existing access point. As such, there will be no adverse impact to highways.

The proposal would accord with the ALP policies T SP1 and T DM1, and the ADC Parking SPD (2020).

## PROTECTION OF TREES

Policy ENV DM3 of the Local Plan (section 17.3.1) underlines the importance of trees as contributors to the landscape and visual amenity of Arun, to retention of an important wildlife habitat and contributing significantly to the successful integration of new dwellings into the landscape. Policy ENV DM4 ensures that development is planned to take a comprehensive view of tree issues at an early stage and that development works do not have a negative impact on existing trees.

Policy E4 of the YNDP advocates for minimising the environmental impact of development expecting the retention of well-established features of the landscape, including mature trees.

Paragraph 136 NPPF highlights the important contribution which trees make to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible.

There are a number of trees on the site, including Hazel, Alder, Norway Maple, Sycamore, Horse Chestnut, Black Walnut and Holly. Only one tree is proposed to be removed, with others to be pruned. A number of supporting documents regarding the trees have been provided, demonstrating that the root protection areas (RPAs) will not conflict the footprints of the buildings, and the trees will be retained on site where appropriate.

The Tree Officer responded with a holding objection. At the time of receiving the response, no information regarding the trees had been provided. This holding objection was in place as the Tree Officer was unable to provide comprehensive feedback on the proposal where there was limited information. Since the new information has been received, the Tree Officer has been re-consulted, and his feedback expected soon.

Subject to a positive response from the Tree Officer following the submitted tree information, there would be no outstanding concerns regarding the trees. It has been evidenced that the majority of trees existing on site will be retained which is highly positive, and there are currently no apparent grounds under ENV DM4 of the ALP or E4 of the YNDP which would warrant refusal.

## NATURAL ENVIRONMENT AND BIODIVERSITY

Arun Local Plan policy ENV SP1 encourages and promotes the preservation, restoration and enhancement of biodiversity and the natural environment through the development process and particularly through policies for the protection of both designated and non-designated sites. The Council will ensure through policy ENV DM1, that the intrinsic features of particular interest are safeguard or

enhanced.

National Planning Policy indicates that developments should aim to maintain and enhance, restore, or add to biodiversity and geological resources of the area. Biodiversity Net Gain is an important aspect of the Environment Bill and the NPPF. Natural England provide guidance with regard to a range of BNG measures. Arun Local Plan policy ENV DM5 states that development shall seek to achieve a net gain in biodiversity and protect existing habitats on site.

Policy E5 of the YNDP requires retention and enhancement of biodiversity and the design of development proposals should incorporate links and corridors for wildlife.

The application has been submitted with a number of ecological documents and surveys, including a Preliminary Ecological Appraisal, Bat Roost Survey and BNG Matrix. The ADC Ecologist has raised no objection subject to a number of conditions which have been applied.

A number of ecological enhancements have been proposed including a wildlife pond and hedgerow creation, and these are sufficient for ensuring biodiversity is preserved and enhanced where possible onsite. The minimum 10% Biodiversity Net Gain requirement is due to be imposed for small sites on the 2nd of April. Whilst a matrix has been included, this is not necessary as the 10% is not yet a requirement, and whilst it is expected the application be determined after the 2nd, the application was made prior to this requirement being imposed and therefore it would be unjustified to require this 10% be met.

The proposal is in accord with ENV SP1, ENV DM1 and ENV DM5 of the Arun Local Plan, E4 and E5 of the Yapton Neighbourhood Development Plan, and will not result in adverse harm to biodiversity and wildlife on site.

#### CLIMATE CHANGE

ALP policy ECC SP2 requires residential development be energy efficient and incorporate decentralised, renewable, and low carbon energy supply systems.

There are no decentralised, renewable, and low carbon energy supply systems proposed, however, compliance with the policy can be secured via a condition.

#### WATER, FLOODING & SURFACE WATER DRAINAGE:

The site is not affected by flooding from rivers/sea and is in Flood Zone 1. The Council's climate change mapping shows it would not be affected by 2111. It is not necessary to require a sequential site assessment in this instance.

The site is in the Lidsey Wastewater Treatment Works Catchment Area. Policy W DM1 (ALP) states although minor developments are unlikely to raise significant flood risk, due to the cumulative impact all development within this area must be accompanied by a Drainage Impact Assessment (DIA).

Policy E11 of the YNDP stresses that new development should aim to minimise the overall level of flood risk.

A surface and foul water technical note, drainage layout, site investigations, calculations and construction detail drawings have all been submitted. The ADC Drainage Engineer was consulted on the application, and whilst they have concluded that the design does not meet the detailed design requirements to avoid the imposition of surface water drainage conditions, but the information is adequately evidenced to support that a policy compliant surface water drainage design is achievable in this location. As such, they

have raised no objection to the proposal, subject to two drainage conditions which have been applied below.

Concern has been raised regarding the drainage scheme for the boundary flint wall, which is proposed to be rebuilt. In order to ensure the drainage strategy will be acceptable for the site and for the structural integrity of this wall, further details regarding the wall have been conditioned alongside the surface water drainage condition.

The imposed conditions will ensure that the proposal is policy compliant, and as such there are no grounds for refusal in regard to flooding or drainage. The proposal is therefore in accord with the Arun Local Plan, and the Yapton Neighbourhood Development Plan.

#### OTHER MATERIAL CONSIDERATIONS

The Council cannot demonstrate a 5 year supply of deliverable land for housing. The proposal aims, amongst other things, to make efficient use of land within the built-up area. Other benefits include new homes, jobs during construction, and its future occupiers' likely support for local shops and services. As a limited amount of harm has been identified above, the benefits of providing housing in line with the Housing Land Supply outweigh any harm of the development.

#### CONCLUSION

As stated above, the principle of development of this site is considered acceptable as per para 11 (c) of the NPPF. The proposal has been assessed by the relevant policies, and meets all necessary criteria as set by the Arun Local Plan, Yapton Neighbourhood Development Plan and NPPF. This application has successfully addressed all previous aspects of refusal of the previous scheme, and therefore is now acceptable. As such, the application is recommended for approval, subject to the conditions and informatives applied below.

#### **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.

## CIL DETAILS

This application is CIL liable, therefore, developer contributions towards infrastructure will be required (dependent on any exemptions or relief that may apply).

## RECOMMENDATION

### 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 Plan 22478/P1250
- Proposed Site Plan 22478/P201-P1
- Street Scenes 22478/P202
- Plots 1 And 2 Floor Plans And Roof Plan 22478/P203
- Plots 1 And 2 Elevations 22478/P204
- Plot 3 Floor Plans, Roof Plan And Section 22478/P205
- Plot 3 Elevations 22478/P206
- Plot 4 Floor Plans, Roof Plan, Section 22478/P207
- Plot 4 Elevations 22478/P208
- Plots 2, 3 And 4 Carports Floor Plans, Elevations And Roof Plans 22478/P209 Revp1
- Surface Water Drainage Sections 08.03.2024
- Proposed Construction Details Dwg 501 Rev P1
- Proposed Drainage Design Sheet Dwg 101 Rev P
- Proposed Contributing Area Dwg No 50 Rev P
- Landscape Masterplan Lld2753-Lan-Dwg-100 Rev 02
- Tree Retention And Protection Plan Lld2753-Arb-Dwg-020

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

- 3 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Design considerations must take full account of the 'Supplementary Requirements for Surface Water Drainage Proposals' produced by Arun District Council and are an overriding factor in terms of requirements. Winter groundwater monitoring to establish highest annual ground water levels and winter percolation testing to BRE 365, or similar approved, will be required to support the design of any infiltration drainage. No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

The proposed scheme shall include details of the drainage scheme for the boundary flint wall abutting North End Road.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 4 Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, 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. It is considered necessary for this to be a pre-commencement condition to ensure that the future maintenance and funding arrangements for the surface water disposal scheme are agreed before construction commences.

- 5 No relevant development shall take place until a sample panel of flintwork has been constructed on the site and approved in writing by the Local Planning Authority. The flintwork comprised within the development shall be carried out and completed to match the approved sample flint panel.

- All new flintwork and works of making good of the flintwork shall match the original flint walls in the type of flints, coursing, density of stones, and the mortar's colour, texture, composition, lime content and method of pointing.

- Any of the existing flint work to be removed shall be re-used elsewhere in the development.

Reason: To enable the Local Planning Authority to control the development in detail by endeavouring to achieve a building of visual quality in accordance with policy HER DM1 and HER SP1 of the Arun Local Plan.

- 6 Prior to first occupation of the dwellings, the boundary flint wall shall be rebuilt in accordance with the approved sample as required under condition 5 of this permission.

Reason: To enable the Local Planning Authority to control the development in detail by endeavouring to achieve a building of visual quality in accordance with policy HER DM1 and HER SP1 of the Arun Local Plan.

- 7 No development above damp-proof course (DPC) level shall take place unless and until a detailed colour schedule of materials and finishes to be used for external walls and roofs of the proposed buildings have been submitted to and approved in writing by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity, and character and appearance of the heritage asset by endeavouring to achieve a building of visual quality in accordance with policies D DM1, HER DM1, HER DM3 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, 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.

- 9 Prior to commencement of the development, a Construction Management Plan shall be submitted in writing to the Local Planning Authority for approval. Thereafter, the approved Plan shall be implemented and adhered to throughout the entire construction period. The plan must include the following:

- a) Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s);
- b) Measures to control the emission of dust and dirt during construction;
- c) A scheme for recycling / disposing of waste resulting from demolition and construction works i.e. no burning permitted;
- d) Details for all temporary contractors, buildings, plant and stacks of materials;
- (e) Details for the provision of temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of the development.

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

- 10 The scheme shall be implemented as approved above and, prior to commencement of any construction work (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a Verification Report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of that 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. The report shall also include 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 report, and for the reporting of this in writing to the Local Planning Authority.

Reason: To protect the amenity of local residents in accordance with Policy QE DM4 of the Adopted Arun Local Plan 2011 - 2031.

- 11 Notwithstanding the provisions of Parts 1, Class AA, A(g) and B of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (as amended) (or any Order revoking or re-enacting this Order) no dormers, roof extensions or extensions to all plots as approved shall be constructed unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To maintain adequate interface standards and in the interests of visual amenity in accordance with Arun Local Plan policies D DM1 and QE SP1.

12 Prior to commencement of the development hereby approved (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

1. A Preliminary Risk Assessment which has identified: all previous (historical) uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; potentially unacceptable risks arising from contamination at the site.
2. A Site Investigation Scheme, based on (1) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. Based on the Site Investigation Scheme and the detailed risk assessment (2), an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A Verification Report providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Note: Any changes to these components, (1) to (4) require the express written consent of the Local Planning Authority.

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

13 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 on Sunday or Bank/Public Holidays.

In addition to these hours of working the Local Planning Authority may approve in writing a schedule of activities where it is necessary to conduct works outside the hours specified in this condition.

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

14 No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development in accordance with policy T SP1 of the Arun Local Plan.

15 Prior to occupation of any of the approved dwellings, the applicant or developer shall provide the dwellings with electric vehicle charge points in accordance with the council's standards as set out in its Parking Standards SPD. This requires that where a dwelling has a driveway or garage then one of those parking spaces shall be provided with a charging point, with ducting then being provided to all other spaces, where appropriate, to provide passive provision for these spaces to be upgraded in future. The individual charge points shall be in accordance with the technical requirements set out in Part S, section 6.2 of the Building Regulations 2010 (as amended). The electric vehicle charge points shall thereafter be retained and maintained in good working condition.

Reason: To mitigate against adverse impacts on local air quality and to promote sustainable travel, in accordance with Arun Local Plan policy QE DM3(c), the Arun Parking Standards SPD and the NPPF.

- 16 Notwithstanding the provisions of Schedule 2, Part 1 Class E of the Town and Country Planning (General Permitted Development Order) 2015 (as amended), the car ports hereby approved shall not be amended or enclosed through the provision of walls or doors without prior permission of the Local Planning Authority.

Reason: To ensure an appropriate level of parking in accordance with policy T DM1 of the Arun Local Plan and Arun Parking Standards SPD.

- 17 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 hereby approved by the Local Planning Authority. The spaces so provided shall 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 Details of bat tubes, bricks or boxes shall be submitted to and approved in writing by the Local Planning Authority prior to any development above damp-proof course (DPC) level.

No less than 4 bat tubes, bricks or boxes shall be provided, and the details shall include the exact location, specification, and design of the habitats. The bat tubes, bricks or boxes shall be installed with the development prior to the first occupation/use of the building/s to which they form part or the first use of the space in which they are contained.

The bat tubes, bricks or boxes shall be installed strictly in accordance with the details so approved and shall be permanently maintained in good working condition thereafter.

Reason: To ensure the development provides the maximum possible provision towards the creation of habitats and valuable areas for biodiversity in accordance with Arun Local Plan policies GI SP1, ENV SP1 and ENV DM5.

- 19 Details of Bee bricks and/or invertebrate hotels shall be submitted to and approved in writing by the Local Planning Authority prior to any development above damp-proof course (DPC) level.

No less than four bee bricks and/or invertebrate hotels shall be provided, and the details shall include the exact location, specification, and design of the habitats. Bee bricks and/or invertebrate hotels shall be installed with the development prior to the first occupation/use of the building/s to which they form part or the first use of the space in which they are contained.

The Bee bricks and/or invertebrate hotels shall be installed strictly in accordance with the details so approved and shall be permanently maintained in good working condition as such thereafter.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with Arun Local Plan policies GI SP1, ENV SP1 and ENV DM5.

- 20 Details of integral nesting bricks shall be submitted to and approved in writing by the Local Planning Authority prior to any development above damp-proof course (DPC) level.

No less than four swift nesting bricks shall be provided, and the details shall include the exact

location, specification, and design of the bricks. The bricks shall be installed within the development prior to the first occupation/use of the building/s to which they form part or the first use of the space in which they are contained. The number of boxes required is as follows:

- Small scale developments should include at least 1 multi-chamber boxes or bricks per dwelling,
- Medium scale developments should include at least 5 multi-chamber boxes or brick across the estate buildings,
- Major developments should incorporate at least 12 multi-chamber bricks or boxes across the estate buildings.

The nesting bricks shall be installed strictly in accordance with the details so approved and shall be permanently maintained in good working condition as such thereafter.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with Arun Local Plan policies GI SP1, ENV SP1 and ENV DM5.

- 21 Prior to any part of the new development being first brought into use/occupied, a bat friendly Lighting Plan shall be submitted to and approved in writing by the Local Planning Authority.

The recommended lighting specification shall use LED's (at 3 lux) with the recommended spectrum being 80% amber and 20% white with a clear view, no UV, a horizontal light spread of less than 70° and a timer. A 3D plan of the illumination level should be supplied so that the Local Planning Authority can assess the potential impact on protected species.

Reason: To allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended), and s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats & species) and Arun Local Plan policy ENV DM5.

- 22 A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the first occupation of any part of the development (or specified phase of the development).

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed, and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved

scheme. The approved plan will be implemented in accordance with the approved details.

Reason:

To allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended), s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats & species) and Arun Local Plan policy ENV DM5 AND to ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with Arun Local Plan policies ENV SP1 and ENV DM5.

- 23 Prior to any development above damp-proof course (DPC) level, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the 'Ecological Impact Assessment' (Lizard, 12/02/24) shall be submitted to and approved in writing by the Local Planning Authority.

The enhancement measures shall be implemented in accordance with the approved details prior to first occupation of any part of the development and all features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats in accordance with Arun Local Plan policies: ENV SP1 and ENV DM5 and allow the local planning authority to discharge its duties under the NPPF 2023 and s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats & species).

- 24 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 25 INFORMATIVE: To prevent impacts to the amenities of future occupiers of the proposed dwelling and occupiers of neighbouring dwellings, the development should be carried out in accordance with the 'Arun District Council Construction Code of Practice: For small developments in Arun', as available from:  
<https://www.arun.gov.uk/download.cfm?doc=docm93jjjm4n12193.pdf&ver=12201>

- 26 INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The infiltration tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method. All design storms must include a climate change allowance, as per <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>, on stored volumes or rainfall intensity. Infiltration structures must cater for the critical 1 in 10-year storm event, (plus40%) between the invert of the entry pipe to the soakaway and the base of the structure. All surface water drainage designs must also have provision to ensure there is capacity in the system to contain the critical 1 in 100-year storm event (plus 45%).

Freeboard is to be provided between the base of the infiltration structure and the highest recorded groundwater level identified in that location. Ideally this should be 1 metre where possible, as stated in the CIRIA Suds Manual guidance. However, on the coastal plain in particular, where geology dictates and where shallow perched/tidally influenced water tables are often present, this is unlikely to be achievable irrespective of this, infiltration must still be fully considered. Therefore, to maximise this potential and avoid utilising other less favourable methods of surface water disposal, the bases of infiltration structures are permitted to be

immediately above the peak recorded groundwater levels where it is deemed necessary.

In areas where an aquifer is to be protected (subject to guidance from the Environment Agency) then a minimum 1 metre freeboard must be provided. Suitable water treatment is required upstream to the point of discharge in all circumstances to minimise any groundwater pollution risk or detriment to the drainage network. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest groundwater table in support of the design. The applicant is advised to discuss the extend of ground water monitoring with the council's engineers.

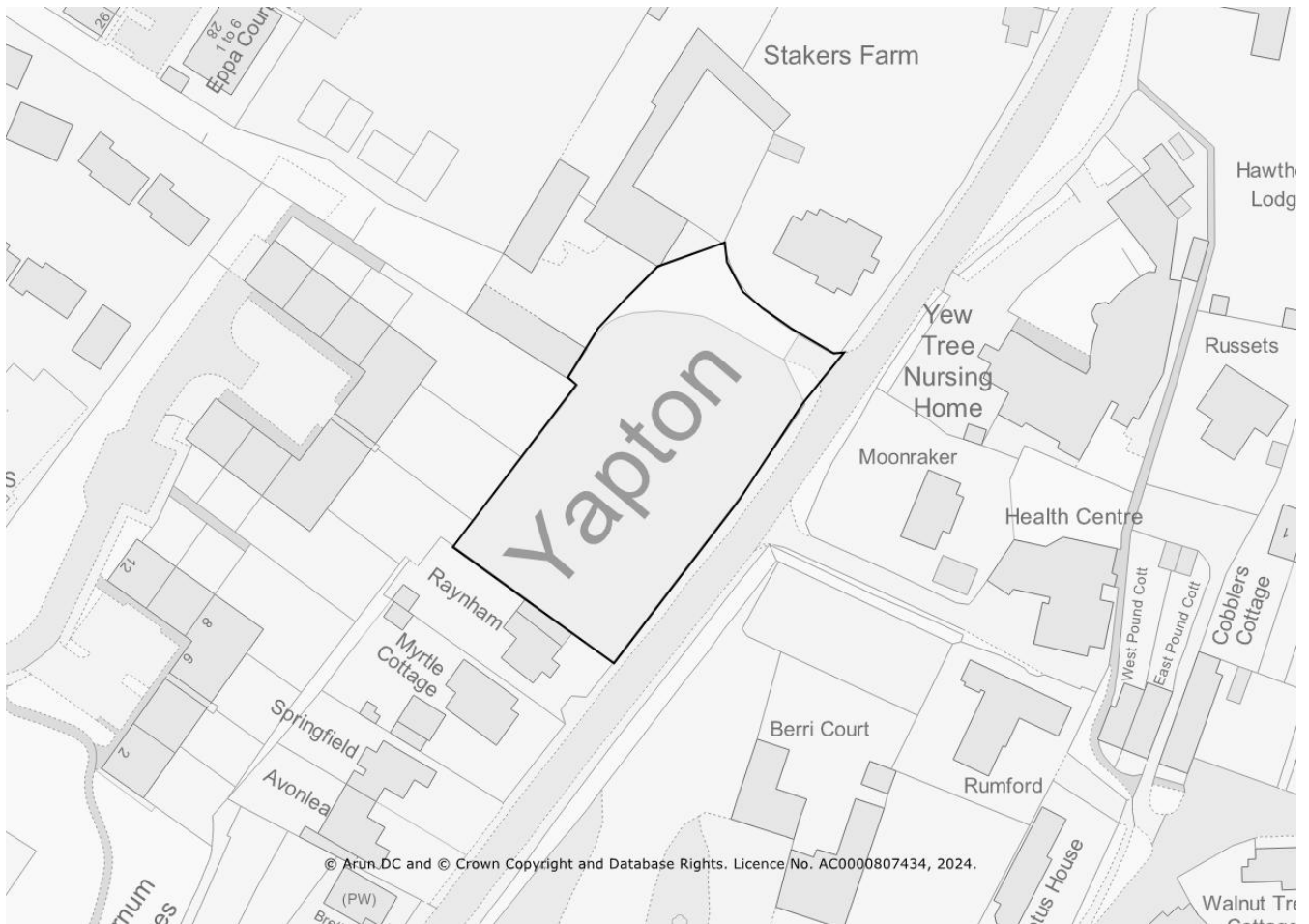
Supplementary guidance notes regarding surface water drainage are located at <https://www.arun.gov.uk/drainage-planning-consultations> on Arun District Council's website. A surface water drainage checklist is available on Arun District Council's website, this should be submitted with a Discharge of Conditions Application. Reference should also be made to the 'West Sussex LLFA Policy for the Management of Surface Water'.

- 27      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](http://www.southernwater.co.uk). Please read the New Connections Services Charging Arrangements documents via <https://beta.southernwater.co.uk/infrastructurecharges>.

## 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 this link.](https://www.arun.gov.uk/weekly-lists)

**Y/1/24/PL - Indicative Location Plan (Do not Scale or Copy)**  
**(All plans face north unless otherwise indicated with a north point)**



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