

PLANNING APPLICATION REPORT

REF NO: AL/40/21/PL

LOCATION: Land adjacent to Byfields  
Nyton Road  
Westergate  
PO20 3US

PROPOSAL: Construction of 1 No. 3 bed dwelling. This application is in CIL Zone 2 & is CIL liable as new dwelling.

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| <b>SITE AND SURROUNDINGS</b> |
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| DESCRIPTION OF APPLICATION | The application seeks to construct a 3 bed dwelling to the east side of 'Byfields' in vacant garden space.  |
| TOPOGRAPHY                 | Predominantly flat.   |
| TREES                      | A number of trees will be removed or partially removed in the site.   |
| BOUNDARY TREATMENT         | The site is boarded by a 1.8m wall/fence along the rear boundary; a brick wall along the front; and a part 1.8m fence/part high hedge to the boundary with Nyton Barns.   |
| SITE CHARACTERISTICS       | The site forms garden space for the dwelling at Byfields. This comprises a detached 1.5 storey dwelling with gardens to front, rear and sides. The dwelling has part light red brick, part timber boarding and a tiled roof. Large gravelled parking area to part front. Few domestic sheds in rear garden. The access is shared with Mill View on the west. A 3.4m wide verge is at the front between the wall and the road. |
| CHARACTER OF LOCALITY      | To the north of Nyton Road, the land is agricultural. A short distance to the east, both sides of the road have dwellings. To the south, there is a large area of wooded land which borders with an open area of grassed land. The area has a semi-rural character.   |

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| <b>RELEVANT SITE HISTORY</b> |
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| AL/49/20/PL | Demolition of 2 No existing dwellings & erection of 7 No. dwellings (1 being the replacement of Nightingale Cottage) with associated parking, bin store, alterations to the existing access & extension of the existing footway. This application part affects the setting of a Grade II Listed Building. | Refused<br>17-09-20 |
| AL/93/02/   | Outline application for one detached dwelling.  | Refused             |

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|-----------|---|--|
|           | (Departure from the Development Plan)   | 22-11-02<br>Appeal: Dismissed<br>25-06-03            |
| AL/84/02/ | Outline Application for detached dwelling (Resubmission following AL/25/02/). | Refused<br>06-12-02<br>Appeal: Dismissed<br>04-06-03 |
| AL/25/02/ | Outline Application for 1 detached 2 bedroom cottage and single garage        | Refused<br>10-05-02<br>Appeal: Dismissed<br>04-06-03 |
| AL/87/01/ | Detached garage   | ApproveConditionally<br>21-01-02                     |
| AL/88/01/ | Detached house with integral garage.<br>(Departure from the Development Plan) | Refused<br>24-01-02                                  |

Pre-application advice was given in January 2016 concerning a scheme to demolish Byfields and develop the site with 4 semi-detached houses and 3 terraced houses. At this time, it was advised the application would likely be refused on the grounds of inadequate private amenity space and overdevelopment of the site but there were no in principle objections and that a smaller scheme may be capable of attracting officer support. The advice stated that whilst an element of 2 storeys would be acceptable, the overriding scale of the new dwellings at Byfields should be 1.5 storeys.

This advice gave no in principle objections and suggested that a smaller amount of dwellings could be considered. This advice was issued around 4 and a half years ago and predates the Local Plan, the Aldingbourne Neighbourhood Plan, the current NPPF, the National Design Guide and the Council's emerging Design Guide.

## REPRESENTATIONS

Aldingbourne Parish Council - objection

- The site falls outside the built up area boundary.
- It would fail to integrate with the surrounding character of the area.
- It fails to demonstrate biodiversity net gain.
- No provision to mitigate climate change.

2 objections received from nearby occupiers.

- D&S fails to comply with EH2, EH10, EH11 of the Neighbourhood Plan.
- No provision for flint walls.
- A footpath should be installed to ensure pedestrian safety along the road.
- Fails to demonstrate there will not be significant harm upon biodiversity.
- The position of the access is dangerous to users.

## COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted and addressed in the conclusion.

The site is on the boundary of the built up area, nonetheless is within the BUAB in the Arun Local Plan and the emerging Neighbourhood Plan (at least the part in which the dwelling is to be built)..

## CONSULTATIONS

### CONSULTATION RESPONSES RECEIVED:

ADC Drainage - The applicant submitted winter ground monitoring and infiltration testing. A drainage layout has been included however this shows the soakaway is in close proximity if not, over the foul sewer to the rear garden. The sewer may need to be diverted and without this the drainage condition to be recommended will not be dischargeable and the permission unimplementable. Apply standard condition which has been modified to remove the need for further testing.

Natural England - No comment to make on the applicaiton.

Archaeology - No objection.

ADC Ecology - No objection subject to conditions, bat and bird mitigation, control of lighting and securing of construction site overnight to protect small mammals. Requested additional information to demonstrate Biodiversity Net Gain. Further bat survey needed.

WSCC Highway Authority - The applicant proposes a 6m wide vehicular access to Nyton Road. This will be shared with Byfields. Visibility appears sufficient and no evidence to suggest it would operate unsafely. The LHA does not consider the proposal would result in unacceptable harm upon the highway. Conditions regarding access, spaces, cycle parking be included.

### COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

## POLICY CONTEXT

Built up area boundary

### DEVELOPMENT PLAN POLICIES

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

|        |  |
|--------|--|
| DDM1   | D DM1 Aspects of form and design quality |
| DDM2   | D DM2 Internal space standards           |
| DSP1   | D SP1 Design                             |
| ECCSP1 | ECC SP1 Adapting to Climate Change       |
| ENVDM4 | ENV DM4 Protection of trees              |
| ENVDM5 | ENV DM5 Development and biodiversity     |
| QEDM1  | QE DM1 Noise Pollution                   |
| QEDM2  | QE DM2 Light pollution                   |
| QESP1  | QE SP1 Quality of the Environment        |
| 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               |
| WMDM1 | WM DM1 Waste Management        |

[Aldingbourne Neighbourhood Plan 2019-31 Policy H8](#) Outdoor space

Aldingbourne Neighbourhood Plan 2019-31 Policy EH1 Built up area boundary

Aldingbourne Neighbourhood Plan 2019-31 Policy EH10 'Unlit Village' status

Aldingbourne Neighbourhood Plan 2019-31 Policy EH5 Surface water management

Aldingbourne Neighbourhood Plan 2019-31 Policy EH6 Protection of trees and hedgerows

Aldingbourne Neighbourhood Plan 2019-31 Policy GA1 Promoting sustainable movement

Aldingbourne Neighbourhood Plan 2019-31 Policy GA3 Parking and new developments

#### 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 |

#### POLICY COMMENTARY

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

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

#### DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would not have a materially adverse impact on the residential amenities of nearby properties nor would it have a significant adverse impact upon the established character of the surrounding area.

#### OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

## **CONCLUSIONS**

### **KEY ISSUES**

The key issues are principle, design and visual amenity, residential amenity, highways/traffic and space standards.

### **PRINCIPLE**

The site lies in the built up area boundary in the Local Plan where development is acceptable in principle in accordance with policy SD SP2 of the Arun Local Plan and provided it accords with other policies of the Local Plan covering such issues as visual amenity/character, residential amenity and parking. In this case, the key policies of the Arun Local Plan are D SP1, D DM1, ENV DM5, ENV DM4, W DM2 and T SP1 of the Arun Local Plan.

Aldingbourne has a Neighbourhood Plan with an updated version having passed referendum and being taken to Full Council on 14th July. Policies relevant are H8, EH1, EH5, EH6, EH10, EH12, GA1, GA3.

The proposal results in the net increase in 1 dwelling, which would contribute towards the Districts housing supply, in accordance with policy H SP1 of the ALP.

### **DESIGN AND VISUAL AMNEITY**

ALP policy D DM1 requires the Council seek to make the best possible use of land by reflecting or improving upon the character of the site and the surrounding area. It requires the Council to consider scale, massing, aspect, siting, layout, density, building materials, landscaping, and design features. It is necessary that development demonstrates a high standard of architectural principles, use of building materials and hard and soft landscaping to reflect the local area.

Para 127 of the NPPF states: "Planning policies and decisions should ensure that developments: (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change

The proposal seeks to construct a detached 1.5 storey dwelling. This features an attached double garage to the principal elevation. The addition of the garage to the front of the property reflects a similar construction at Mill view, on the other side of Byfield's with the overall massing set back from Nyton Road, in line with development of the surrounding area and is not unduly dominant upon the frontage.

The property incorporates a gable roof with a half hip to the west edge and a first floor projection to the front and rear. The scale and massing is considered comparable to neighbouring properties to the west, with the proposed ridge and eaves height matching that of the neighbouring dwelling at Byfields. Sufficient separation is retained between neighbouring dwellings to the east and west and is not considered an overdevelopment of the site.

Materials are appropriate in relation to the context of the area. Timber boards in Siberian Larch will be laid horizontally to the external walls of the dwelling and garage in keeping with the wooded landscape and is similar to material evident in the locality. Red brick will run along the lower perimeter of the building. Roof tiles consist of red clay and the rear flat roof will have a green roof. All windows and doors are to be timber framed, double glazed units.

Due to its scale and design, with the property being 1.5 storeys, it appears sympathetic in appearance to the area and is informed by surrounding buildings and materials, reflecting the pattern of development in

the locality.

Arun recently adopted a Design Guide which seeks to improve design within the district. Section P of the Guide refers infill dwelling similar to that proposed should 'emulate the established pattern of building' and 'continue elements such as chimneys, porches and doors. The proposed has been designed to integrate with the existing dwellings and is complementary to the surrounding area with similar design features and materials used to ensure integration with neighbouring dwellings and the wider area.

Having regard to the character and layout of the area, the proposal has acceptable impact on the established layout and pattern of development, sufficiently integrating with its surroundings and the character of the street scene in accordance with D DM1 of the Arun Local Plan.

#### RESIDENTIAL AMENITY

Arun Local Plan 2011-2031 policy D DM1 requires 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."

The dwelling to the east (The Old Stores) has a west facing principal elevation and has front windows overlooking the site, albeit part screened by boundary tree/hedge planting. Approximately 15m is retained from the side elevation of the property to the boundary serving the dwelling. However, with the neighbouring dwelling a two storey property and with the proposed dwelling of smaller scale, it is not deemed to result in harm by way of overbearing or overshadowing. There is one rooflights which fronts the east elevation and as such, the proposal will not result in adverse overlooking upon neighbouring windows to this elevation.

To the west, sits 'Byfields. The proposal will incorporate a 1.8m fence along the boundary between the side elevation of Byfield and the dwelling. There is a 1.5m and 2m gap between either side of the boundary to the buildings, with the separation considered acceptable. The design of the roof to the west side has been designed to allow the neighbouring property at Byfields to receive a 45° daylight angle. The height and rear building line of the dwelling matches that of 'Byfields and it helps ensure there is no adverse overbearing or overshadowing impact. The east elevation of the dwelling features ground floor windows and 2 rooflights, which due to their height above finished floor level will not give rise to adverse overlooking.

There are no neighbours to the rear, with a wooded area situated along the rear boundary.

Due to siting and design of the proposal, it is not considered to result in adverse harm upon amenity by way of overbearing overshadowing or overlooking in accordance with D DM1.

#### HIGHWAY

Arun Local Plan 2011-2031 Policy T SP1 seeks to ensure development: provides safe access on to the highway network; contributes to highway improvements & promotes sustainable transport, including the use of low emission fuels, public transport improvements and the cycle, pedestrian and bridleway network.

Regard should be had to paragraph 109 of the NPPF which states that: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

ANDP Policy GA1 seeks to promote sustainable (non-car) forms of transport. It requires development to be located in places accessible to public and community transport. ANDP policy GA3 requires that

parking be provided in accordance with the standards adopted at the time.

A 6m wide vehicular access on Nyton Road is proposed to serve the new dwelling. This access will also be shared with existing property Byfields who currently share an access with Mill View. The access will be subject to a crossover licence.

The ADC Parking Standards for a 3 bed property in this type of location (Parking Behaviour Zone 2) requires an expected level of 2 car parking spaces on site. The garage is to form 2 parking spaces. The guide states that the garage should measure at least 6m x 3m internally. The garage as proposed has approximate internal dimensions of 5.8m x 5.7m and therefore falls slightly short of the requirements. Space is available to the front of the garage, providing room for additional parking and turning space.

Whilst the size of the internal garage is smaller than required, it is considered the number of spaces required are achievable on site and it complies with Arun Parking Standards and will not result in harm on the highway.

Electric vehicle charging points at a rate of 1 charging point per house with a garage or parking space should be provided, as per the ADC Parking SPD. In terms of cycle parking, ADC Parking Standards require 2 cycle spaces for each 3+ bed house to be provided on-site. Cycle storage should be undercover, secure, and easily accessible to occupants. The design and access statement states that a car charging point and bicycles storage will be provided for within the garage. If the garage is to be used for storage, this will take up valuable parking space and it is considered a separate cycle storage unit should be provided for which will be conditioned.

The parking allocation complies and the safety of the site comply with with T SP1 of the Arun Local Plan.

#### **SPACE STANDARDS**

Policy D DM2 of the ALP states: "The planning authority will require internal spaces to be of an appropriate size to meet the requirements of all occupants and their changing needs. Nationally Described Space Standards will provide guidance". It is necessary to assess the proposal against the internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard) in order to determine whether the dwelling is suitable for residential use.

The dwelling has an internal layout depicting; 2 storey, 3 bedroom, 6 persons. The space standard for this provision is 102sqm. The provision provided will measure 207.3 sqm and complies with the guidance.

Arun District Council has no size standards in respect of private gardens although section 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.

Regard should also be had to paragraph 127 of the NPPF which states that "Planning policies and decisions should ensure that developments (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. 482sqm external amenity space is provided and this is acceptable exceeding the guidance.

The standards provided comply with D DM2 of the Plan and with H8 of the Aldingbourne Neighbourhood Plan.

#### **BIODIVERSITY NET GAIN**

ALP policy ENV DM5 states: "Development schemes shall, in the first instance, seek to achieve a net

gain in biodiversity and protect existing habitats on site. They shall also however incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats (whether designated or not)."

ANDP policy EH6 states proposals must be designed to incorporate biodiversity and enhance ecological networks to contribute to the Government's target to halt the decline in biodiversity by aiming for a net gain for nature. EH2 states development immediately adjacent to the Biodiversity Corridors will only be supported where it can be clearly demonstrated that proposals will not give rise to any significant harm to the integrity or function of the Biodiversity Corridors. The wooded land to the rear and ditch on the opposite side of Nyton Road are designated as biodiversity corridors

The application is accompanied by an biodiversity net gain assessment. This was assessed by the Councils ecologist who did not object subject to conditions to secure various protection, mitigation and enhancement measures. The document provided includes measures that will be used which includes the use of bat boxes, a lighting scheme to ensure it does not disrupt commuting routes, bird boxes, raised height fences to allow for hedgehog movement. The use of the green roof to the rear addition will also support biodiversity net gain. The dwelling is considered to retain a sufficient distance to biodiversity corridors at the front and rear that there will be no adverse impact.

The scheme provides details of biodiversity net gain and is in accordance with the ALP policy ENV DM5 and ANP policy EH2. The proposal is within 12km of the Singleton and Cocking Tunnel SAC with protected bats. Ecology have requested a further bat survey to assess bat activity at the site - this is awaited.

#### **FLOOD RISK AND DRAINAGE**

W DM2 of the Arun Local Plan states development in areas at risk from flooding (as identified by the EA) will only be permitted following compliance with listed criteria. One of these criterion is the submission of a sequential test in accordance with the NPPF.

ANDP policy EH5 states that new proposals must not give rise to additional risk of flooding, either to the development site and must make appropriate provision for accommodating the surface water and foul water arising from the development.

The site falls within Flood Zone 1 and is at low risk of flooding. The site also falls within the Lidsey Catchment area.

The Councils drainage engineers raise no objection to the principle of the development in respect of surface water drainage and has requested a condition be included, minus the need to include testing which has already taken place and complies with relevant criteria.

#### **TREES**

ALP policy ENV DM4 states that:

"Development will be permitted where it can be demonstrated that trees protected by a Tree Preservation Order(s), (TPO) identified as Ancient Woodland, in a Conservation Area or contributing to local amenity, will not be damaged or destroyed now and as they reach maturity unless development:

- a. Would result in the removal of one or more trees in the interests of good arboricultural practice. This shall be demonstrated by the developer following the advice of a suitably qualified person which shall be guided by BS 5837 (2012). Details of any advice received having regard to BS 5837 (2012) shall be submitted, in writing, as part of a planning application; or
- b. Would enhance the survival and growth prospects of other protected trees;



c. The benefits of the proposed development in a particular location outweigh the loss of trees or woodland, especially ancient woodland."

ANDP policy EH6 states development that damages or results in the loss of trees of arboricultural and amenity value will be resisted, unless the need for, and benefits of, development in that location clearly outweigh the loss

There are a number of trees proposed for removal and partial removal. Some trees to the front boundary also come into close proximity of the development with regards to their RPA. As such, the details provided demonstrate protection measures that will be used to ensure no damage is made to the RPA.

The Council's Tree Officer has not responded and in the absence of comments, it is difficult to justify a refusal on tree grounds. The statement provided also includes details to show that for each tree that needs to be felled another 2 will be planted.

The proposal complies with relevant policies ENV DM4 of the Arun Local Plan and EH6 of the Neighbourhood Plan.

#### **SUMMARY**

In the absence of adverse harm, the application is recommended for approval subject to the following conditions and informatives. This recommendation is subject to a further bat survey being submitted to the Council for consultation with ecology. If the survey is submitted before Committee and a response received from the ecology consultant a report update will be provided.

If no further survey is provided it is requested that Committee delegates authority to the Committee Chairman and the Group Head of Planning to make a decision based on the revised information and to update/add any conditions as a result of the further study following consultation with the Council's Ecologist. If no further ecology report is received within 14 days after the date of the Committee the application will be refused for the following reason:-

Due to the lack of suitable information regarding bats the Council can not be certain that the impact on biodiversity would not be adversely harmful contrary to policy ENV DM5 of the Arun Local Plan and the NPPF.

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| <b>HUMAN RIGHTS ACT</b> |
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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.

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| <b>DUTY UNDER THE EQUALITIES ACT 2010</b> |
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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 (dependant 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 - 1000 Rev PP
- Proposed Block Plan - 1002 Rev PP
- Proposed Floor Plan - 1005 Rev PP
- Proposed First Floor Plan - 1006 Rev PP
- Proposed Roof Plan - 1007 Rev PP
- Proposed Roof Plan 1004 Rev PP
- Proposed Section Plan - 2000 Rev PP
- Proposed North Elevation - 3000 Rev PP
- Proposed South Elevation - 3001 Rev PP
- Proposed East and West Elevation - 3002 Rev PP
- Proposed Vehicular Crossover - 14A
- Biodiversity Net Gain Assessment
- Arboricultural Impact Assessment and Method Statement - June 2020
- Design and Access Statement - Feb 2021
- Flood Risk Assessment and Drainage Statement - Feb 2021 Rev A
- Tree Constraints Plan - 001 Rev 00

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

- 3 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. No building / No part of the extended 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.

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

Reason: To provide alternative travel options to the use of the car in accordance with policy TSP1 and the Arun Parking Guide SPD.

- 5 No part of the development shall be first occupied until the electric vehicle charging space(s) have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority. The details so approved shall be maintained in perpetuity.

Reason: To provide sustainable travel options in accordance with the NPPF and the Arun Parking Guide SPD..

- 6 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations within BS5489:1-2013 but also minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and shall be 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.

- 7 Any on site brush piles, compost and debris piles which could provide shelter areas and hibernation potential for hedgehogs must be removed outside of the hibernation period mid-October to mid-March inclusive. The piles must undergo soft demolition. If any small mammals including hedgehogs are found they should be relocated away from the construction area into surrounding suitable habitats.

Reason: To enhance the environment for local wildlife and result in net biodiversity gain, in accordance with the relevant legislation and policy ENV DM5 of the Arun Local Plan.

- 8 Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time an ecologist will need to check the site before any works take place (within 24 hours of any work).

Reason: To enhance the environment for local wildlife and result in net biodiversity gain, in accordance with the relevant legislation and policy ENV DM5 of the Arun Local Plan.

- 9 No construction/demolition activities shall take place other than between the hours of 8:00 to 18:00 Monday to Friday and 8:00 to 13:00 Saturday with no noisy work Sunday or Bank Holidays .

Reasons: To protect the amenity of local residents in accordance with Policy QESP1 of the Arun Local Plan.

- 10 Prior to first occupation, the biodiversity enhancement measures listed within 'biodiversity net gain assessment ' 0-061-BNG June 2021 must be provided and retained in perpetuity. These refer to

- The addition of bat boxes
- The addition of bird boxes
- The creation of a hibernaculum to southern corner of the site.
- A sparrow terrace integrated within the eastern elevation of the dwelling.
- The installation of hedgehog nesting boxes.

Reason: To enhance the environment for local wildlife and result in net biodiversity gain, in accordance with the relevant legislation and policy ENV DM5 of the Arun Local Plan.

- 11 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 approved site plan.

Reason: In the interests of road safety and D DM1 of the Arun Local Plan.

- 12 **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 percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located here <https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.

- 13 **INFORMATIVE:**  
The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted.

Additional information about the licence application process can be found at the following web page:

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>

Online applications can be made at the link below, alternatively please call 01243 642105. <https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/>

- 14 **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.

- 15      **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.

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

**AL/40/21/PL - Indicative Location Plan (Do not Scale or Copy)**  
**(All plans face north unless otherwise indicated with a north point)**



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