

PLANNING APPLICATION REPORT

REF NO: AW/228/21/RES

LOCATION: Rear of 34,36,38,40 & 44
Carlton Avenue
Aldwick
Bognor Regis
PO21 3LR

PROPOSAL: Approval of reserved matters following outline consent AW/130/18/OUT (layout, scale, landscape & appearance) for the erection of 8 No dwellings with access between 34 & 36 Carlton Avenue.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks reserved matters approval for 8 detached dwellings with parking, road provision, landscaping and ancillary works. Approval of scale, layout, external appearance and landscaping are sought. Access and principle of development were approved by AW/130/18/OUT.

The proposal is for 7 x 3 bed houses and 1 x 4 bed house. Plot 1 will be a bungalow, plot 5 will be two storey with the others all having their first floor in the roof. Materials have not been finalised so will require a condition however they are indicated to be brick with flint or weatherboarding and clay tiles. Roofscapes are mixed with gable ends, hips, half hips, front projecting gables, dormers, half dormers and velux windows.

Each house has at least 2 parking spaces with plot 5 having 3 and plots 2/8 having a double garage. Two visitor spaces are proposed. Cycle storage is to be accommodated in garages/sheds. Bin storage spaces will be in gardens with collection from a designated area to the north of plot 1 or from dwelling frontages.

As per the outline the site has a 4.8m wide shared (vehicles/pedestrians) access to Carlton Avenue which reduces to 4.1m on the driveway and then back to 4.8m in the site. No footway is shown to the sides but there is verge space for landscaping to buffer the adjacent dwellings. As per the outline, there is access to the front of 36 for 1 parking space.

The application includes a comprehensive hard & soft landscaping scheme which includes 17 new trees, shrubs, climbers, gardens, tarmac roads, concrete paviour parking

	areas and sandstone patio/paths. Boundaries are proposed to be a mix of 1.8m high timber fencing and low brick walls with integrated fence panels.
SITE AREA	0.4907 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	16 dwellings per hectare.
TOPOGRAPHY	Predominantly flat.
TREES	There is extensive tree planting to the east end of the site and across the boundary in the Avisford Park recreation ground. Some of these trees are notable but all are to be retained and are to the rear of proposed gardens. One small Lawson Cypress and a group of 6 Leylandii in the northwest corner are to be removed to facilitate new internal site road and parking. These have been categorised as class C trees.
BOUNDARY TREATMENT	Mix of dwarf walls, fencing and hedging to the front of site, fencing to sides and rear with mature hedging. There is a small watercourse running the length of the eastern site boundary.
SITE CHARACTERISTICS	Residential gardens located behind 34, 36, 38, 40 and 44 Carlton Avenue (there is no number 42).
CHARACTER OF LOCALITY	The site forms part of an established residential area in the built up area boundary. Carlton Avenue has a fairly uniform character with detached properties set in medium plots and set back from the highway with gardens to the rear. Properties on this eastern section of Carlton Avenue have very deep gardens whilst those to the northern and southern ends of the road and on the western side are much shorter in comparison. There is an existing back land chalet bungalow dwelling (32a) to the south of the site. This is around 12m from the shared boundary. In terms of scale, there is a mix of dwelling heights within the streetscene with mostly traditional bungalows on the eastern side but some chalet bungalows and a few genuine two storey dwellings on the west side.

RELEVANT SITE HISTORY

AW/130/18/OUT	Outline application with some matters reserved for the erection of 8 No. dwellings with new access between 34 & 36 Carlton Avenue.	App Cond with S106 08-08-18
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Outline planning permission was given in August 2018 and approved the principle of 8 dwellings and the access arrangements from Carlton Avenue.

REPRESENTATIONS

Aldwick Parish Council:- object to the access as it will be dangerous to pedestrians and the internal access will not provide a convenient or safe route for pedestrians or cycles.

8 objections from nos. 32 and 32a Carlton Avenue raising issues of:

- Overdevelopment;
- Overlooking (particularly the relationship between plot 2 and 32a Carlton Avenue);
- Harm to existing views;
- Extra noise, disturbance & traffic;
- Insufficient parking leading to overspill on local roads;
- Harm to wildlife including bats/birds in the trees;
- Access will be harmful to highway safety and is not wide enough for 2 cars; and
- Security of existing homes.

COMMENTS ON REPRESENTATIONS RECEIVED:

The objections from the Parish/residents relating to the number of dwellings/increase in traffic and access to Carlton Avenue cannot be considered as these matters were approved through the Outline application. The internal road layout is proposed as a shared surface arrangement and is wide enough to allow pedestrians and a car to pass each other safely. There are no WSCC Highway objections. Overlooking, noise, parking and security will be considered in the conclusions however there is no right to a view in planning law. Conditions are proposed to mitigate the impact on wildlife.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSCC HIGHWAYS - no objection subject to conditions to secure a construction management plan (CMP) and cycle parking. Comment that:

- no issues with the 4m wide access or with the ability for refuse and fire vehicles to turn within the site;
- existing parking for plot 36 will be accessed from the new access but given the low number of trips, no objections are raised;
- The access is a crossover arrangement ensuring pedestrians have a continuous pavement layout on Carlton Avenue, but consideration needs to be given to surface treatments;
- a Traffic Regulation Order is required to implement the access;
- No objection to the parking provision; and
- Require electric vehicle charge points.

ADC DRAINAGE ENGINEERS - no objection with the following comments:

- Groundwater monitoring has found groundwater to peak at 49.28m which is 0.52m below ground level;
- Infiltration testing has shown shallow infiltration to be viable;
- The overarching strategy and proposed levels are acceptable and there will be sufficient surface water storage on the site; and
- The applicant stated they wish to resolve surface water drainage matters now and avoid pre-commencement conditions however there are already such drainage conditions on the Outline and these need to be discharged separately.

ADC LANDSCAPE OFFICER - no objection and recommend no conditions. The soft landscape detail shown in revised Landscape Plan 002 Rev A provides the outstanding information with the inclusion of species choice, quantities and size at time of planting, with a scheme suitable for location. The Landscape Plan shows more native species to reinforce the easterly tree line but the use of non-native

evergreen species to ensure all year round screening is acceptable.

ADC TREE OFFICER - no objection and recommend conditions.

ADC ENVIRONMENTAL HEALTH - no objection. The Phase 2: Site Investigation Report is acceptable. Further investigation is required for the parts of the site unavailable at the time of survey. A verification report will be required to demonstrate any contamination found has been appropriately dealt with.

COMMENTS ON CONSULTATION RESPONSES:

WSCC HIGHWAYS - The outline has conditions relating to a CMP, cycle storage, the traffic regulation order and access visibility. A new condition is needed to secure electric vehicle charge points.

ADC ENVIRONMENTAL HEALTH - Contamination should have been considered at outline stage. The same report was provided at that time but Environmental Health did not request a condition. The survey found no contaminants in site areas that were surveyed. Given these comments have been given, it is proposed to apply a condition to secure remediation should unsuspected contamination be found.

POLICY CONTEXT

Designations applicable to site:

Within the Built up Area Boundary;
CIL Zone 4; and
Pagham Harbour Zone B.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM2	D DM2 Internal space standards
DSP1	D SP1 Design
ECCSP1	ECC SP1 Adapting to Climate Change
ECCSP2	ECC SP2 Energy and climate change mitigation
HDM1	H DM1 Housing mix
ENVDM4	ENV DM4 Protection of trees
ENVDM5	ENV DM5 Development and biodiversity
QEDM1	QE DM1 Noise Pollution
QEDM2	QE DM2 Light pollution
QEDM4	QE DM4 Contaminated Land
QESP1	QE SP1 Quality of the Environment
TELSP1	TEL SP1 Strategic delivery of telecomms infrastructure
TSP1	T SP1 Transport and Development
WDM3	W DM3 Sustainable Urban Drainage Systems
WMDM1	WM DM1 Waste Management

PLANNING POLICY GUIDANCE:

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

SUPPLEMENTARY POLICY GUIDANCE:

SPD11	Arun Parking Standards 2020
SPD12	Open Space,Playing Pitches & Indoor& Built Sports Facilities
SPD13	Arun District Design Guide (SPD) January 2021
SPD10	Aldwick Parish Design Statement

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Aldwick have not developed a Neighbourhood Development Plan but has published a Design Guide which is a material consideration in the determination of this application..

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 70(2) of 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.

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 the development plan in that the proposal would not cause demonstrable harm to the character of the area, to the amenity of neighbouring residents or to local biodiversity and trees.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS

PRINCIPLE:

The principle of 8 dwellings with access from Carlton Avenue was established by AW/130/18/OUT and it is only necessary to consider outstanding matters of layout, appearance, landscaping & scale - and the policies that relate to these matters.

COMPLIANCE WITH OUTLINE CONDITIONS:

Condition 3 imposed on the Outline stated the reserved matters scheme should be in accordance with the "Feasibility Site Plan" dwg. 2.01 Rev P3. The access arrangements are as per this drawing and the rest of the layout is broadly in accordance with the drawing.

LAYOUT, APPEARANCE AND SCALE:

ALP policy D DM1 requires the Council seek to make the best possible use of land by reflecting or improving on the character of the site/surrounding area. It requires the Council to consider scale, massing, aspect, siting, layout, density, building materials, landscaping and design features. The policy requires the scale of development keep in the general confines of the overall character of a locality. ALP policy D SP1 "Design" requires development to make efficient use of land and reflect local character.

The National Design Guide (NDG) has weight as a material consideration in the determination of this application. This states that achieving a well-designed place comes about through making the right choices at all levels, including the layout (or masterplan), the form and scale of buildings, their appearance, landscape, materials and their detailing. It sets out ten characteristics of beautiful, enduring and successful places: Context, Identity, Built Form, Movement, Nature, Public Spaces, Uses, Homes & Buildings, Resources and Lifespan.

The Arun Design Guide is a material consideration. The Design Guide suggests a density of 10-20 dwellings per hectare in suburban locations. The site density has been set by the Outline which allowed up to 8 homes but at 16 dwellings per hectare accords with the Design Guide.

Page 128 of the Design Guide has a section on back land development. The proposal meets this guidance as the dwellings are set far away from the existing, are predominantly single storey in scale, provide opportunities for landscaping along the access road to mitigate the impact of vehicles on existing residential amenity, is for an appropriate amount of houses, maintains a good standard of external space for the existing houses, provides sufficient parking & turning facilities and upgrades boundary treatments.

The Aldwick Parish Design Statement (2015) states Carlton Avenue is a mix of bungalows and houses and that many local builders had a hand in constructing Carlton Avenue, making it an interesting road of varying designs with no two properties being identical. Carlton Avenue is in the Rose Green character area and the proposal meets relevant development criteria as buildings are predominantly single storey, reflect the character of the streetscene, are appropriately spaced apart and the layout preserves important trees.

The layout accords with the feasibility plan presented at outline stage. It consists of 7 dwellings at the rear of the site backing onto the park plus and 1 bungalow behind 36 & 38. This bungalow respects the character of the Carlton Avenue streetscene. Those to the rear are higher with some roof level accommodation and a two storey dwelling, however these are some distance from the Carlton Avenue frontage (58m) so will have very limited impact on the streetscene. The layout preserves the vast majority of existing trees and proposes new trees. There is a large expanse of hardstanding in the layout but this is necessary to provide parking and turning facilities for 8 dwellings and the size/shape of the site does not allow for these areas to be hidden from view.

Dwellings are appropriately mixed with different materials (brick, flint, weatherboarding), roof heights and roof forms (mix of hipped, half-hipped & front/side gables). Exact materials will be controlled by condition.

The development will not harm the character and appearance of the locality and does not result in significant harm to the visual amenities of the site and its surroundings. The proposal complies with the relevant design policies as set out above.

LANDSCAPING & TREES:

ALP policy D DM1 states development is expected to incorporate existing and new tree planting as an integral part of proposals. Policy LAN DM1 requires development respects the characteristics & natural features of the relevant landscape character areas and aim to reinforce or repair the character of those areas. Policy D SP1 requires development proposals reflect the characteristics of the site and local area in their landscaping.

ALP policy ENV DM4 requires that TPO protected trees, Ancient Woodland, those in a Conservation Area or trees that contribute to local amenity are not damaged or felled unless the developments meets the following criteria:

- a. tree loss is in the interests of good arboricultural practice;
- b. tree loss would enhance the survival & growth prospects of other protected trees;
- c. the benefits outweigh the loss of trees or woodland, especially ancient woodland.

The proposal results in the loss of 7 category C (low quality) trees plus vegetation in private gardens. The landscaping scheme proposes more than sufficient compensatory tree planting (17 new trees) plus new areas of grass and shrub planting some of which will form new hedges to front boundaries.

The Council's Tree officer raises no objections to trees to be felled, to the site layout or protection measures. Due to the orientation of the site and layout, the largest off-site/retained trees are on the east boundary and so will shade gardens in the morning. These will be 8-9m from the rears of the new houses. The street trees in the scheme all appear to have plenty of room to grow and develop.

There are no concerns with the soft & hard landscaping scheme and so the scheme accords with ALP policies LAN DM1, D DM1 and ENV DM4.

OTHER MATTERS:

(A) Housing Mix

ALP policy H DM1 provides for a mix of housing to meet local needs and requires that all housing development provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand. The policy does not prescribe a specific housing mix that must be met by individual applications, with the policy stating that each must be considered on its own merits. The policy preamble (12.2.4) acknowledges that the final mix will be negotiated on a site by site basis, having regard to the most up to date Strategic Housing Market Assessment (SHMA). The SHMA identifies a broad mix of market housing by size for the District however no market housing proposed.

The development comprises 7 x 3 bed dwellings (87.5%) and 1 x 4-bed dwellings (12.5%). As this excludes any 1 or 2 bed dwellings, it is in conflict with the SHMA guidance however this is not intended as one rule to cover all sites and the proposed mix is acceptable having regard to the small scale of the development and the character of the area (being predominantly family sized dwellings).

(B) Housing for Older People

The Local Planning Authority has an agreed policy on provision of housing accommodation to provide for an ageing generation ("Accommodation for Older People and People with Disabilities", 2020). This does not apply to schemes of less than 10 dwellings. The Design and Access Statement indicates homes will be designed to Part M Building Regulations standards suitable for disabled persons.

(C) Residential Amenity

ALP policy D DM1 requires there be minimal impact to users and occupiers of nearby property and land. ALP policy QE SP1 requires all development contribute positively to the quality of the environment and ensure development does not have a significantly negative impact on residential amenity. The Council has an adopted Design Guide which sets out guidance on interface distances between houses:

- Back to Back: min. 21m between habitable rooms of properties or to existing buildings;
- Back/Front to Side: min. 14m between habitable rooms and side gable of adjacent property;
- Front to Front: min. 16m between habitable rooms of properties facing each other; and
- Back to Boundary: min. 12m between habitable rooms and site boundary to existing landscaping.

There are no standards given for either side to side or front to back.

The layout has been checked and with the exception of the front to front distance between plots 1 and 4/5 (at 12.5m/15.3m), all interface distances in the site comply with the standards. The plot 1 to 4/5 relationship is acceptable given plot 1 is a bungalow whilst the interfaces will have additional screening by the way of ground level landscaping and parked cars. There are significant interface distances to existing neighbouring properties and these are indicated on the site layout. The site levels all appear to either be at the existing ground level or at most 0.2m higher which is within normal tolerances.

No. 32a Carlton Avenue has objected on grounds of overlooking. This property is a bungalow and is 12m to the south of the site. The intervening space is taken up with vehicle parking and turning so there is no overlooking of their garden area which is to the south of their dwelling. Due to the presence of velux windows in their north facing roof plane, a condition will be imposed to ensure the south facing mid-floor landing window on plot 2 is obscure glazed below an internal height of 1.7m.

It is necessary to consider the impact of the site access on existing properties which border it. Given the close proximity, it is likely that there will be harm to these properties due to noise/disturbance from vehicles. However, the layout ensures good space on either side for landscaping and new boundary treatment mitigating such impacts. Road speeds will be low and the road surface will be smooth (i.e. not gravelled) thus further reducing noise.

There is a local concern regarding security of existing dwellings. All boundaries will be secured with fencing and communal (road/parking) areas benefit from natural surveillance from the dwellings.

All relationships between proposed/existing and between proposed dwellings are acceptable and ensure a high standard of amenity for existing and future users. The scheme accords with ALP policies D DM1, QE SP1 and with the Design Guide.

(D) Parking, Roads and Public Footpaths

ALP policy T SP1 states that proposals will be supported where they explain how the development has been designed to: (i) accommodate the efficient delivery of goods and supplies; (ii) give priority to pedestrian and cycle movements; (iii) create safe and secure layouts for traffic, cyclists and pedestrians

whilst avoiding street clutter.

The proposal will be accessed from Carlton Avenue with a 4.8m wide shared crossover style access. The internal site road reduces to 4.1m on the driveway and then back to 4.8m in the site. Pedestrians using Carlton Avenue will be able to use the eastern footway and cross the access easily with good visibility of cars coming in and out. The access is wide enough to allow cars and pedestrians to pass each other safely in the site. WSCC Highways raise no objections with the internal site arrangements.

The parking requirement according to the Arun Parking SPD is 19 spaces based on 2 spaces per the 3 bed dwellings, 3 spaces per the 4 bed dwelling and 2 visitor spaces. The proposal consists of 16 allocated spaces, 2 double garages and 2 visitor spaces. The SPD states garage spaces must be 3m by 6m to qualify as half a space. As the double garages are 5.09m by 6.2m, they do not provide 2 garage spaces of the appropriate size and can only be considered as single garages providing half a space each. The overall total number of spaces still meets the standards.

The SPD sets out a requirement for cycle storage and this requires that 3+ bed houses have 2 spaces. The application states cycle storage will be either in garages or sheds for which plans are not provided. There is a condition on the Outline to secure these details separately. The proposal therefore accords with ALP policies T SP1 & T DM1 and the Arun Parking Standards SPD.

(E) Waste Management

ALP policy WM DM1 states that new residential development, will be permitted provided that it is designed to ensure that kerbside collection is possible for municipal waste vehicles.

WSCC Highways have no objections to the ability of refuse vehicles to access and leave the site in a forward gear. There is no highway safety issue with the collection of refuse. The application states bins will be stored in gardens and bins will be brought to either the frontages or a designation kerbside collection point on collection day. As such, the proposal complies with policy WM DM1.

(F) Surface Water Drainage

The site is not affected by current or future flooding from rivers/sea. ALP Policy W DM3 states development must identify opportunities to incorporate a range of Sustainable Urban Drainage Systems (SUDS) as appropriate to the size of development.

The Councils drainage engineer has no in principle objections with the drainage strategy and notes this will be agreed through the discharge of the conditions imposed on the Outline. As there are no objections to the principle of drainage, there is no conflict with the relevant policies.

(G) Internal & External Space Standards

As per ALP policy D DM2, it is necessary to assess the proposal against internal space standards set out in the Governments Technical Housing Standards (Nationally Described Space Standard) to determine if buildings will be suitable for residential use. The applicant provided an accommodation schedule which demonstrates that all of the dwellings far exceed the required amount of internal space:

- plot 1: 118m² vs 86m² requirement;
- plots 2/8: 139m² vs 102m² requirement;
- plots 3/4/6/7: 122m² vs 93m² requirement; and
- plot 5: 170m² vs 115m² requirement.

The Arun Design Guide sets out standards for garden sizes as follows:

- Private Rear Garden: min. 10.5m depth; and
- Private Front Garden: min. 2m depth.

All plots have front gardens at least 2m deep. The majority of rear gardens to new plots and retained dwellings exceed 10.5m. The exceptions are plot 1 (10.3m) and the retained garden to 36 (10m). These instances are acceptable as the Design Guidance does not set out a policy requirement and instead allows for a flexible approach. Plot 1 is still least 21m from the rear of 38.

On this basis the scheme provides a good standard of amenity for future occupiers.

(H) Climate Change

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

The application doesn't include details of sustainability/renewable energy measures but states in the Design & Access Statement that in the context of rising summer temperatures, main habitable rooms have been located to the east of the buildings minimising impact of solar gain from afternoon sun and reducing the requirement/necessity of home cooling equipment. Gardens run west to east allowing for the important southerly aspect during winter but creating shelter from hot late afternoon sun in summer.

The application states the size, position and amount of windows allow for good natural internal ventilation flows whilst wide side passageways between properties allows future occupiers to install mechanical ventilation and cooling systems with minimal impact on amenity of surrounding properties. A condition will be imposed to secure the details of such provisions and this will ensure that the proposal is developed in accordance with policy ECC SP2.

(I) Biodiversity Net Gain

ALP policy ENV DM5 states development schemes shall seek to achieve a net gain in biodiversity and protect habitats on site. They shall incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitat. Paragraph 180 of the NPPF is relevant and states that if significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort, compensated for, permission should be refused.

The proposal results in the loss of 7 trees and garden vegetation however this is more than compensated by the planting of 17 trees plus shrubs and areas of lawn. The ratio of new trees to those lost ensures a biodiversity net gain in itself. The applicant has provided a statement which refers to bat and bird boxes being provided plus hedgehog gaps through fences. A condition will be imposed to secure details of these proposals and hedgehog nesting boxes. The proposal complies with ALP policy ENV DM5 and the NPPF para 180.

SUMMARY:

There are no materially harmful concerns with the reserved matters scheme and the application is in accordance with the development plan when read as a whole. There are a couple of conflicts with the Design Guide but these are acceptable on the grounds that this is guidance not policy and allows for a flexible site by site approach. It is therefore recommended that permission be granted subject to additional conditions alongside those imposed on AW/130/18/OUT.

HUMAN RIGHTS ACT

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

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

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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

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

CIL DETAILS

It is not possible to secure CIL for this development as infrastructure contributions have already been secured through the S.106 Agreement attached to the Outline planning permission.

RECOMMENDATION

APPROVE CONDITIONALLY

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

- Location Plan No. 1 Rev A;
- Site Layout & Block Plan 001 Rev A;
- Parking Plan 003 Rev A;
- Landscaping Plan 002 Rev A;
- Swept Path Analysis using a DB32 Fire Appliance 1645-002 Rev A
- Swept Path Analysis using a large 3 axle Refuse Vehicle 1645-001 Rev B
- Roof Plans and Street Scenes 005;
- Unit 1 Floor Plan and Elevations 006;
- Units 2 & 8 Floor Plans 007;
- Units 2 & 8 Elevations 008;
- Units 3, 4, 6 & 7 Floor Plans 009;
- Units 3, 4, 6, 7 Elevations 010;
- Unit 5 Floor Plans 011;

Unit 5 Elevations 012;
Site Sections 013;
Garages 014; and
Design and Access Statement (June 2021).

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

- 2 No construction/demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no noisy works (defined as works involving plant, equipment, machinery) taking place on Sunday or Bank Holidays.

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

- 3 All activity at the site is to be carried out in strict accordance with the "Tree Survey & Arboricultural Impact Assessment" (June 21) by Arbortech.

If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones, then prior to their installation a Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works within the root protection areas are commenced on site.

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

- 4 Before the site is occupied or any heavy plant/equipment is introduced to the site or demolition work or construction work or alterations to existing ground levels takes place (but not including survey work) a PRE-COMMENCEMENT Site Meeting is to take place between the Planning Authority's Tree Officer and the Arboricultural Expert representing the site owner(s) - at this meeting all protective fencing and ground protection measures will be inspected to verify they are 'Fit for Purpose' as required under British Standard 5837:2012 and have been erected and positioned exactly as shown on the Appendix 2 drawing entitled "Tree Retention/Removal Plan indicating Tree Protection Measures".

A schedule of Site Monitoring/Supervision visits and Reporting Procedures prepared by an Arboricultural Expert will be required and their extent will be agreed on at the site meeting to the satisfaction of the Planning Authority's Tree Officer.

Reasons: To comply with BS5837 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area. This is required to be a pre commencement condition because it is necessary to ensure that trees are fully protected before the ground is disturbed and works commence.

- 5 The development shall be carried out in accordance with the "Phase 2: Site Investigation Report, 36-44 Carlton Avenue for Counterpoint Properties Ltd.' (dated 23/5/2018) as produced by Constructive Evaluation. If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy

detailing how this unsuspected contamination shall be dealt with. Following removal of the contamination, a verification report shall be submitted and approved in writing prior to occupation of any of the houses.

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.

- 6 No development above damp-proof course (DPC) level shall take place until details (including elevations and materials) of all new boundary treatments within and around the site have been submitted to and approved by the Local Planning Authority and no dwellings shall be occupied until such boundary treatments associated with them have been erected. The details to be provided shall also ensure that gaps are provided at the bottom of the boundary treatments to ensure that hedgehogs and other small mammals are able to move into/out of and around the development.

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

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

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

- 8 No development above damp proof course (DPC) level shall take place until full details of the placement of bird and bat boxes as described by the submitted Biodiversity Enhancement Statement (August 2021) have been submitted to and approved in writing by the Local Planning Authority. In addition, details of hedgehog nesting boxes will also be required. The approved boxes shall then be implemented in full prior to occupation and thereafter retained to the satisfaction of the Local Planning Authority.

Reason: To safeguard the ecology of the area, and in the interests of birds & bats in accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

- 9 Prior to the occupation of any part of the development, a strategy for the provision of the highest available headline speed of broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall take into account the timetable for the delivery of 'superfast broadband' (defined as having a headline access speed of 24Mb or more) in the vicinity of the site (to the extent that such information is available). The strategy shall seek to ensure that upon occupation of a dwelling, the provision of the highest available headline speed of broadband service to that dwelling from a site-wide network is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site will continue in accordance with the approved strategy.

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

- 10 Prior to the occupation of the dwellings, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved dwellings shall be submitted to the local planning authority for approval and thereafter implemented in accordance with the approved details and the charge points shall thereafter be permanently retained and maintained in good working condition.

Reason: New petrol, diesel and hybrid cars/vans will not be sold beyond 2030, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun Parking Standards SPD and the National Planning Policy Framework.

- 11 Prior to occupation of any of the dwellings, the applicant/developer shall submit a scheme for approval by the Local Planning Authority to demonstrate that the development will achieve energy efficiency measures that reflect the current standards applicable at the time of submission and includes the use of renewable energy supply systems. The approved scheme shall thereafter be implemented prior to occupation of any of the dwellings and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: In order to secure a reduction in the use of energy at the site in accordance with national planning policy and policy ECC SP2 of the Arun Local Plan.

- 12 No external lighting shall be installed on any of the buildings or within any parts of the site unless and 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 surrounding 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.

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

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

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

- 14 All bathroom and toilet windows in the elevations of any of the buildings shall be glazed with obscured glass and permanently retained so thereafter.

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

- 15 The landing/stairs window on the southern flank of plot 2 hereby approved shall be glazed with obscured glass below an internal floor height of 1.7m and permanently retained so thereafter.

Reason: To protect the amenities and privacy of the existing chalet bungalow to the south of the site in accordance with policies D DM1 and QE SP1 of the Arun Local Plan.

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

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

- 17 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 18 **INFORMATIVE:** 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.

- 19 **INFORMATIVE:** The applicant is advised to contact the WSCC Traffic Regulation Order team (01243 642105) to obtain the necessary paperwork and commence the process associated with the proposed waiting restrictions. The applicant would be responsible for meeting all costs associated with this process. The applicant should note that the outcome of this process cannot be guaranteed.

- 20 **INFORMATIVE:** This permission does not formally discharge any of the drainage conditions imposed on the Outline planning permission.

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)

AW/228/21/RES - Indicative Location Plan (Do not Scale or Copy)
(All plans face north unless otherwise indicated with a north point)



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