

Parish: Bosham	Ward: Bosham
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BO/17/02114/FUL

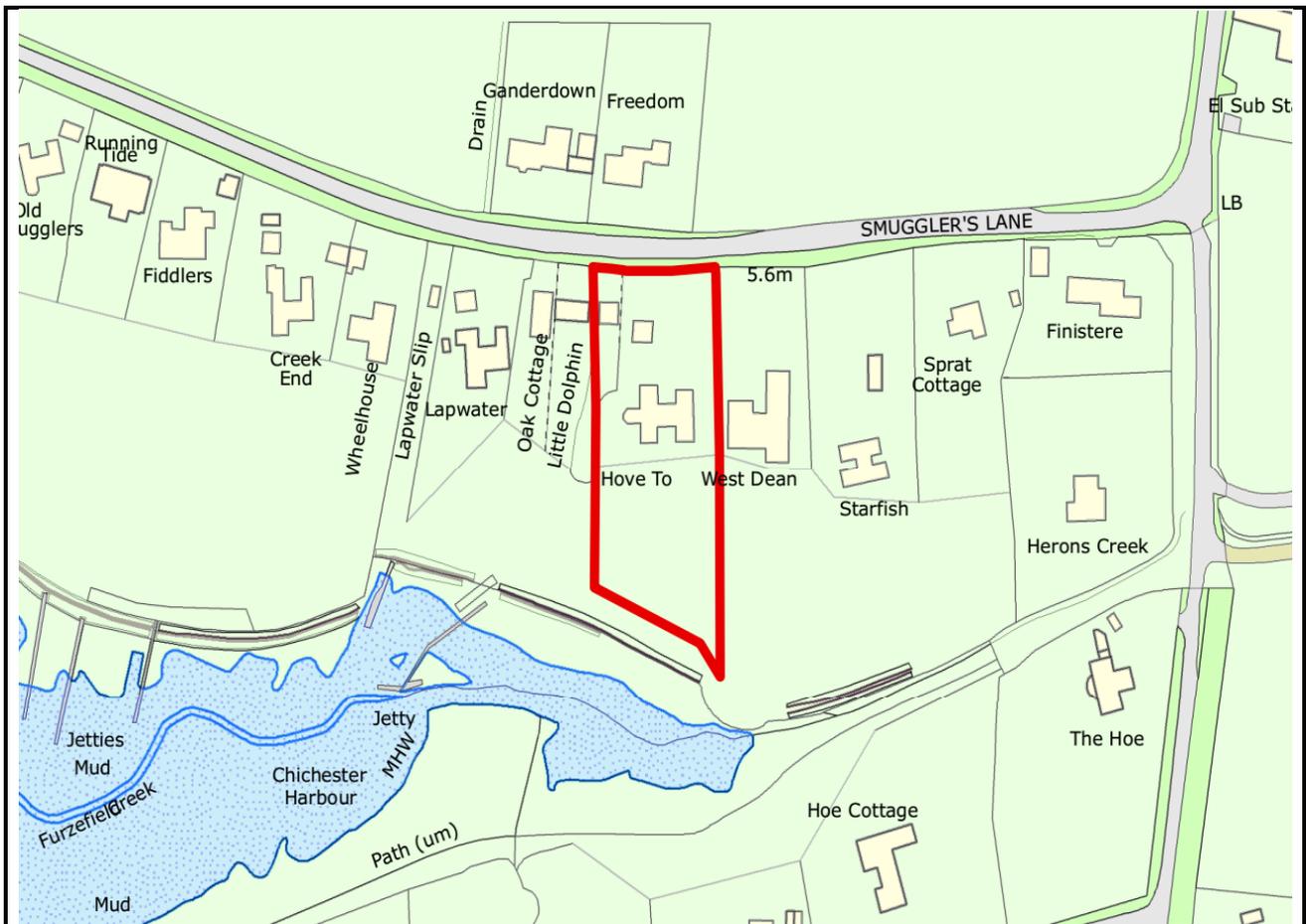
Proposal Demolition of existing dwelling, ancillary accommodation and outbuildings. Erection of a single dwelling, and ancillary accommodation with associated hard and soft landscaping.

Site Hove To Smugglers Lane Bosham PO18 8QP

Map Ref (E) 481218 (N) 101955

Applicant Mr Simon Morse

RECOMMENDATION TO PERMIT



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1.0 Reason for Committee Referral

This application was deferred at the meeting on 17 October 2018 for a Site Visit.

Parish Council objection - Officer recommends permit

2.0 The Site and Surroundings

- 2.1 The application site lies on the southern side of Smugglers Lane adjacent to Chichester Harbour. The site is located outside of any built up area boundary, with the nearest being Bosham which is 2km to the north of the application site. The application site forms part of a row of residential properties along the southern side of Smugglers Lane, with a further two dwellings on the northern side opposite the application site. Further to the north is flat, open agricultural land. The dwellings along Smugglers Lane vary in style and design, the majority of which are detached, within large plots. Along the northern boundary of the site there are a number of protected trees. The southern part of the site is located within Flood Zone 3, however the existing dwelling is not.
- 2.2 The existing dwelling was built in 1998 and is a two storey H-shaped dwelling. The main roof features half-hipped ends to east and west with four hipped roofs on projections at a lower ridge height to the north and south elevations. The ground floor is finished with a white painted render, red brick banding and dark varnished window-frames. The existing dwelling is similar in scale to neighbouring dwellings.

3.0 The Proposal

- 3.1 The application seeks planning permission to demolish the existing dwelling and ancillary accommodation and to erect a single dwelling and ancillary accommodation. There would be two elements of the proposal, the main dwelling which would be two storeys and a single storey, flat roof element which is proposed for ancillary accommodation, which would be linked to the main dwelling.
- 3.2 The main dwelling would measure approximately 10 metres in width, 25 metres in depth with a ridge height of 8.2 and an eaves height of approximately 3.5 metres. The single storey annex building would measure approximately 6.6 metres in width, 22 metres in depth with a height of 3 metres, while the link extension would measure approximately 6 metres in width, 2.3 metres in depth with a height of 3 metres.
- 3.3 The main dwelling would comprise of four bedrooms at first floor level with a living room plus open plan kitchen, dining and living room at ground floor level. The ancillary accommodation would be formed of two bedrooms and an open plan kitchen, living and dining area. The ancillary accommodation would be linked by a single storey flat roof, glazed and flint element.

4.0 History

00/02610/DOM	PER	Replacing solid timber door to rear wall of outbuilding with timber frame double bi-folding glazing door. Installing circular window above.
00/02611/DOM	PER	Remove plastic sheeted pitched roof to conservatory and form extension to the existing bedroom balcony. Extend timber and glass railings.
02/00602/TPO	PER	Felling of 16 no. Elm trees.
81/000120/BO	PER	Dwelling with garage.
81/00090/BO	REF	Dwelling, garage and boathouse
79/00078/BO	ALLOW	Renewal - dwelling
74/00075/BO	PER	Renewal - dwelling
75/00056/BO	PER	Re-instatement after fire
87/00168/BO	ALLOW	Alterations to convert garage to living accommodation
97/02804/FUL	PER	Demolition of existing property and construction of new replacement dwelling.
99/00487/DOM	PER	Erection of dwelling-unit for occupation incidental to main dwelling.
06/04709/DOM	PER	Retention of timber summer/pool chalet.
09/03878/DOM	PER	Erection of children's timber climbing frame.
10/01667/TPA	PER	Crown reduce by 25% 1 no. Oak tree (marked on plan as T1), crown reduce by 25% and remove lowest branch at 2m on south sector at 2m on 1 no. Oak tree (marked on plan as T2). Cut back to previous pruning points and crown raise to clear highway (north sector) on 5 no. Oak trees (marked on plan as T3 - T7). All 7 no. trees are within Area, A4 subject to BO/81/00058/TPO.

11/00765/DOM	REF	Removal of existing roof from chalet style bungalow, construction of first floor and replacement roof above. Extension to swimming pool to be retained within existing decked area.
11/02471/DOM	REF	Removal of existing roof from chalet style bungalow, construction of first floor and replacement roof above. Extension to swimming pool to be retained within existing decked area.
12/03567/DOM	REF	Construction of infill extensions at ground floor level to form sun room and entrance hall, construction of porch and construction of first floor extension together with roof alterations.
13/00272/DOM	PER	Alterations to existing dwelling.
13/03282/DOM	PER	Alterations to plans and elevations permitted under application 13/00272/DOM.
11/00103/REF	ALLDIS	Removal of existing roof from chalet style bungalow, construction of first floor and replacement roof above. Extension to swimming pool to be retained within existing decked area.

5.0 Constraints

Listed Building	NO
Conservation Area	NO
Rural Area	YES
AONB	YES
Strategic Gap	NO
Tree Preservation Order	YES
EA Flood Zone	NO
- Flood Zone 2	YES
- Flood Zone 3	YES
Historic Parks and Gardens	NO

6.0 Representations and Consultations

6.1 Parish Council

9/10/2018

Object: The Parish Council do not think an ancillary requirement [condition] goes far enough to be more restrictive. This design has all the features and characteristics of a second dwelling and as such could be 'rented out' / Air B&B could be an option as could any other commercial residential use, whilst still belonging to and therefore ancillary to the main dwelling. The current ancillary accommodation is insignificant by comparison.

27/09/2018

Object: Whilst we welcome the reduction in the height of the ancillary dwelling; our previous objection regarding the potential to form two dwellings still remains and therefore Bosham Parish Council objects to this application.

27/08/2017

Object: Bosham Parish Council feels that the ancillary building has all the merits of a second dwelling and is not sensitively sited in respect of the street scene and its ancillary nature. Should the ancillary dwelling be sited to the north and closer to the main dwelling the scheme would appear more cohesive and less intrusive to the neighbour to the west.

6.2 WSCC Highways

Summary

The proposal is for the demolition of the existing dwelling and ancillary dwelling and outbuildings and the erection of a single dwelling and ancillary dwelling. The proposal is sited on Smugglers Lane; a D classified, single lane rural residential road subject to 30mph speed restrictions. At the point of access onto Smugglers Lane from the existing accesses there have been no highways accidents or personal injury claims to flag an existing highways safety concern in this location.

Access

The two accesses proposed for use within this development are an existing arrangement on Smugglers Lane. The Eastern access provides a direct access to Hove To where ample parking and turning space exists. The second access is currently in use by neighbouring property Little Dolphin. The Local Planning Authority may wish to ensure that ownership rights are ascertained prior to any planning consent being granted at this location regarding the second access proposed to serve the ancillary dwelling.

The established accesses however do appear to be functioning with no highways safety concerns. Visibility appears sufficient for the likely road speeds in this location and as the proposal is not anticipated to generate a material change in the frequency of vehicular trips made, would also appear suitable for the proposed use.

Parking

There are no initial concerns with the indicative layout. This is considered suitable as this will be a low speed, low traffic environment. The parking allocation is in accordance with the demand from the WSCC PDC (Parking Demand Calculator). From checking this and based on the proposed mix and tenure of the dwellings, the car parking provision is anticipated to satisfy the likely demands.

The vehicular parking spaces should be 2.4m x 4.8m in order to suitably cater for an average size vehicle. Garage spaces are to have internal measurements of 3m x 6m for an average sized vehicle to be stored and cycle parking to be included. The LHA advises that a cycle storage condition is sealed on any approval of this application for both dwellings.

Capacity

There will be no material increase in traffic movements over the existing use. In addition there are no known capacity and congestion issues within the immediate vicinity of the site. From a capacity perspective we are satisfied the proposal for an additional two dwellings will not have a severe residual impact.

Conclusion

The LHA does not consider that the proposal would have a 'severe' impact on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (para 32), and that there are no transport grounds to resist the proposal. Should the LPA be minded to approve this proposal, the following should be sealed via condition.

6.3 Natural England

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

6.4 Chichester Harbour Conservancy

Amended Proposals

No objection to the amended proposed development subject to the following conditions:

- **The ancillary accommodation to be restricted with no separated dwelling or subletting as tourist accommodation to occur.**
- **Agreeing sample of external materials**
- **Demolition of all existing buildings and removal/disposal of such rubble off site.**
- **Agreeing details of any hard and soft landscape design including the green roof.**
- **Implementation of any agreed landscape design and replacement of any soft planting which die or fail within the first five years.**

Original Proposals

Object:

The increase in footprint and silhouette are within the Joint CHAONB tolerances and could comfortably be accommodated on this large plot.

What is troubling though is the agent's use of the term 'ancillary dwelling' throughout the design and access statement and on the submitted plans. I have written to the agent (copied to the council) asking that documentation and plans be re-issued changing this phrase to 'residential annexe'. This would be to avoid any confusion going forward that only ONE replacement dwelling is being considered by the local planning authority.

The applicant commissioned two bat surveys in May 2017. These did not reveal the presence of roosting bats within any of the onsite buildings. Bat foraging comprised mainly common pipistrelle and recommendations for sensitive lighting and replacement roosting features in the new property have been proposed.

A tree report has been submitted. The applicant intends to retain front boundary trees which are covered by a Tree Preservation Order (81/00058/TPO). One weeping willow tree (see below) to the Harbourside is to be removed. This is said to be in poor structural condition but fair physiological condition.

Another weeping willow (see below) in front of the existing dwelling is also to be removed. Whereas the latter would seem necessary to accommodate the new building footprint, the former would only seem to be being removed to open up visibility of the creek. Paragraph 7.4 of the agent's design and access statement glosses over this loss to the landscape and does not propose replacement planting, which does not fit with the need to conserve and enhance the AONB.

No issue is taken with the materials palette - (Flintwork, stone and natural timber shingles for the roof) - and architectural styling per se, given the variety of architectural styles in the street. The size of built form has decreased since the pre-application enquiry, only one chimney feature remains and the 'linked wing' is definitely subordinate to the ridge height of the main wing.

What remains troubling though is the potential to form two dwellings where only one has existed and the loss of the harbourside weeping willow, for no particular sound arboricultural reason and no replacement planting being offered either.

I consider the Conservancy should maintain an objection until these two issues are bottomed out.

6.4 Third Party Representations

One Third Party letter of objection was received relating to the original proposal concerning:

- The ancillary accommodation could become a second dwelling.

A comment has subsequently been received from the Bosham Association which states:

We submitted an objection to this application on 18 September 2017 on the grounds that, while the size of the second dwelling had been reduced, it remained a second dwelling and easily separable from the main dwelling. We concur with the view of CDC Planning that the creation of two dwellings on this plot is not appropriate. We see that the size of the second dwelling has been reduced again but it remains a second dwelling and easily separable from the main dwelling. As such, there is no change to our view. In our opinion, asking the applicant to stop referring to it as an ancillary dwelling does not address the issue.

7.0 Planning Policy

The Development Plan

- 7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans. There is no made neighbourhood plan for Chichester at this time.
- 7.2 The principal planning policies relevant to the consideration of this application are as follows:

Chichester Local Plan: Key Policies 2014-2029

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Development Strategy and Settlement Hierarchy

Policy 8: Transport and Accessibility

Policy 33: New Residential Development

Policy 39: Transport, Accessibility and Parking

Policy 40: Sustainable Design and Construction

Policy 42: Flood Risk and Water Management

Policy 43: Chichester Harbour Area of Outstanding Natural Beauty (AONB)

Policy 47: Heritage and design

Policy 48: Natural Environment

Policy 49: Biodiversity

Policy 50: Development and Disturbance of Birds in Chichester and Langstone Harbours
Special Protection Areas

National Policy and Guidance

7.3 Government planning policy now comprises the National Planning Policy Framework (NPPF), paragraph 11 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking:

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

7.4 Consideration should also be given to sections 12 (Achieving well-designed places), 14 (Meeting the challenge of climate change, flooding and coastal change), and 15 (Conserving and enhancing the natural environment) which are also relevant to this case.

Other Local Policy and Guidance

7.6 The following documents material to the determination of this planning application:

- Planning Obligations and Affordable Housing SPD
- CDC PGN3: Design Guidelines for Alterations to Dwellings and Extensions
- CDC Waste Storage and Collection Guidance
- Joint Chichester Harbour AONB SPD 2017

The aims and objectives of the Chichester in Partnership Community Strategy 2016-2029 which are relevant and material to the determination of this planning application are:

- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

8.0 Planning Comments

8.1 The main issues arising from this proposal are:

- i. Principle of the development
- ii. Impacts on visual amenities and character of the AONB
- iii. Impacts on the amenities of neighbouring properties
- iv. Highway safety and parking
- v. Ecological considerations
- vi. Surface/foul water and flooding
- vii. Trees

i) Principle of the development

8.2 The site is located outside of any designated Settlement Boundary and therefore within the countryside where new residential development is strictly controlled. The application proposes to demolish the existing dwelling and ancillary accommodation and the construction of a replacement dwelling with linked ancillary accommodation. A replacement dwelling within the countryside is acceptable in principle, and the application has been amended since its submission resulting in a reduction to the size and scale of the ancillary accommodation. The applicant's agent has advised a condition restricting the accommodation to be ancillary to the main dwelling would be acceptable.

8.3 The proposed ancillary accommodation would be physically linked and in close proximity to the main part of the dwelling. The plans have been amended during the course of the application so that the additional accommodation is described as an annex; in accordance with the suggestion of the Chichester Harbour Conservancy. The proposal would therefore not result in a second dwelling on the site, which would be a concern in this rural location. Rather, the application proposes a replacement dwelling on a 1 for 1 basis with an annex to replace the existing annex accommodation. Therefore the principle of the proposed development is considered acceptable.

ii) Impacts on visual amenities and character of the AONB

8.4 Policy 33 of the CLP refers to new residential development and sets out that proposals must meet the highest standards of design and a high quality living environment in keeping with the character to the surrounding area and its setting in the landscape; In addition that its scale, form, massing and siting, height and design respects and enhances the character of the surrounding area and site. In addition policy 43 sets out clear parameters about the extent of development likely to be acceptable, including limits on any increase to footprint or silhouette when replacement dwellings are proposed within the Chichester Harbour AONB.

- 8.5 The application has been amended since its original submission, reducing the scale, both in terms of accommodation and built form of the proposed ancillary accommodation. The existing dwelling has a ridge height of 7 metres, eaves of 3.5 metres with a width of 15 metres and is of an 'H' shape. The main roof features half-hipped ends to east and west with four hipped roofs on projections at a lower ridge height to the north and south elevations. The proposed main dwelling would have a ridge height of 8.2 metres, which is higher than the existing, however when viewed from Smugglers Lane, the width of the two storey massing of the building would appear reduced in comparison to the existing dwelling as a result of the orientation and roof pitch of the proposed dwelling. The link element would be a continuation of the front elevation of the main dwelling, and whilst glazed to the south elevation, when viewed from Smugglers Lane it would read as a flint wall linking the dwelling to the annex. The ancillary accommodation would project forward of the main dwelling and link, however its massing would be minimised by the flat roof design incorporating a sedum roof. It is considered that the resultant development would reflect the overall character of Smugglers Lane which has a variety of large dwellings, some with annexes, set within large plots.
- 8.5 The main dwelling which would be two storeys with a dual pitched roof and low eaves, resulting in a narrower building facing Smugglers Lane than the existing dwelling. From Smugglers Lane, the ancillary accommodation would be read as the garage for the main dwelling. The reduction in massing of the ancillary accommodation to a flat roof single storey building together with the link wall, results in the two elements being read as the same development albeit that the two storey element is the main part of the dwelling. The Harbour Conservancy has confirmed that the proposed dwelling in respect of its footprint and silhouette would meet the requirements of the Chichester Harbour Design SPD.
- 8.6 The pattern of development on the southern side of Smugglers Lane is of large dwellings set back from the road with gaps between the dwelling of no set distance and broadly in line. The proposed dwelling would reinforce this pattern, being set in from the boundaries of the site and in line with the surrounding pattern of development.
- 8.7 Smugglers Lane has a mixture of styles and design of dwellings using a range of materials including, render, brick, timber and slate. The application proposes a contemporary design, using flint, metal sheeting, timber and a green sedum roof. The proposed design is considered to be of a high standard particularly in comparison to the existing dwelling. Given the spectrum of design and materials along Smugglers Lane, the proposal is considered acceptable in this regard, and the Harbour Conservancy has also confirmed that the pallet of materials would be appropriate for the location.

8.8 It is considered that the proposals would respect the visual character and appearance of the locality and would not result in harm to the street scene or the scenic beauty of the Chichester Harbour AONB. Therefore, it is considered that the development would comply with NPPF section 12 and 15, Chichester Local Plan policies 2, 33, 43 and 47.

iii) Impacts on neighbouring amenities

8.9 Policy 33 of the Chichester Local Plan seeks to ensure a good quality of amenity for all existing and future occupiers of land and buildings. The nearest properties in this case are Little Dolphin to the west of the application site, and West Dean to the east.

8.10 The application has been amended since its submission, reducing the scale of the ancillary accommodation, removing side dormers and re-siting the development further away from the boundaries of the site.

8.11 The ancillary accommodation would be 12 metres from Little Dolphin to the west. Given the ancillary accommodation would be single storey with a flat roof. It is considered the proposal would not have a significant detrimental impact on the amenity of Little Dolphin by either overbearing or from overlooking.

8.12 The main part of the dwelling would, at its closest point, 5 metres from the neighbouring dwelling of West Dean. At this closest point, the window at first floor level is a bathroom, with a chimney breast link to this part of the building with glazing. No other windows are proposed at this corner of the building. The two other windows on this elevation serve a staircase and an en-suite. This, subject to condition would be secured to be obscurely glazed. It is therefore considered the proposal would not result in overlooking. The eaves of the dwelling would be 3.5 metres in height. Given the set back from the boundary and the siting of the dwelling, it is considered the proposal would not result in an overbearing impact to the West Dean.

8.13 For the reasons outlined above it is considered that the development complies with the requirements of the NPPF and policy 33 of the current CLP.

iv) Highway safety and parking

8.14 WSCC Highways were consulted on the application, and subject to conditions relating to car parking spaces and cycle parking to be provided prior to occupation no objection was raised. The application proposes a replacement dwelling on a 1 for 1 basis; therefore there would not be a material increase in the car parking space or traffic flow. The area to the front of the dwelling is considered sufficient to accommodate the level of parking required given the size of the dwelling, and therefore the proposal would accord with policy 39 of the CLP.

v) Ecological considerations

- 8.15 Policy 50 of the Chichester Local Plan states that it is Natural England advise that all net increase in residential development within the 5.6km 'Zone of Influence' are likely to have a significant effect on the Chichester and Langstone Harbours SPA either alone or in combination with other developments and will need to be subject to the provisions of Regulation 61 of the Conservation of Habitats and Species Regulations 2010. The Case Officer has carried out a Habitats Regulations Assessment Screening Opinion and as the proposal does not result in an net increase of residential development the development would not result in a significant effect on the SPA.
- 8.16 A Preliminary Ecological Assessment has been carried out and submitted with the application. The assessment demonstrates that there are no protected species that would be impacted upon by the proposal. However, measures should be taken during construction to minimise the impact upon wintering birds, the creek adjacent to the site and also breeding birds, plus any external lighting should be designed to minimise the impact upon foraging/commuting bats and replacement roosting features should be provided within the new property. Conditions are recommended to ensure that the proposed measures are implemented to safeguard protected species and biodiversity. It is therefore considered that the proposal would accord with policy 48 of the CLP in this respect.

vi) Surface/foul water and flooding

- 8.17 The application site is located within Flood Zone 3, however the replacement dwelling would be located within Flood Zone 1. Paragraph 6.3 of the submitted Drainage Statement states that ground floor levels will be set no lower than 4.65 m AOD in order to offer security against internal flooding during a severe 1 in 200 year storm surge. It is recommended to secure this by condition.
- 8.18 With regard to water management the application seeks to replace an existing dwelling, which is connected to the main sewage system for foul and a soakaway for surface. It is proposed to continue this for the new dwelling, and this is considered to be acceptable. The proposal would therefore accord with policy 42 of the CLP.

vii) Trees

8.19 A group TPO is located towards the north of the site and as such a Tree Report and Impact assessment has been submitted. This report makes a number of recommendations to ensure the trees are not damaged during the construction of the new dwelling. It is recommended a condition is imposed securing the protection measures of in place during the construction of the dwelling. Concerns have been raised with regards to the loss of a willow tree that is located to the south of the existing dwelling on the site, and therefore it is visible from harbour. The tree is not currently protected, and the tree has been inspected by the Council's tree officer and it has been confirmed that the tree is not worthy of a preservation order. As such, the tree could be removed without the need for consent from the Local Planning Authority whether the proposed development takes place or not. Therefore it is considered that it would not be reasonable to resist the application based on the loss of the willow tree. It is however recommended that a condition be imposed requiring the removal of any vegetation to be carried out outside of the bird nesting season.

Conclusion

8.20 It is considered that the proposal would respect the character and quality of the site and surroundings and the scenic beauty of the AONB, and it would not be detrimental to the amenity of neighbouring properties and private gardens. Furthermore the proposal would not The proposal accords with national and local planning policies and therefore, this application is recommended for approval.

Human Rights

8.21 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account when reaching this recommendation and it is concluded that the recommendation to refuse/permit is justified and proportionate.

RECOMMENDATION

PERMIT subject to the following conditions and informatives:-

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

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

2) The development hereby permitted shall not be carried out other than in accordance with the approved plans:

JA12_P_AL_004, JA12_E_W_002, JA12_E_S_002, JA12_E_N_002,
JA12_E_E_002, JA12_P_00_002, JC20_P_AL_001, G200_E_E_001 REV A,
G200_E_N_001 REV A, G200_E_S_001 REV A, G200_E_W_001 REV A,
G200_P_00_001 REV C, G200_P_01_001 REV B, G200_P_RF_001 REV B

Reason: To ensure the development complies with the planning permission.

3) No development shall commence on site, including demolition, until protective fencing has been erected around all trees, shrubs and other natural features not scheduled for removal in accordance with the submitted Tree Survey Arboricultural Impact Assessment & Method Statement and recommendations of BS5837:2012. Thereafter the protective fencing shall be retained for the duration of the works, unless otherwise agreed in writing by the Local Planning Authority. No unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced area; soil levels within the root protection area of the trees/hedgerows to be retained shall not be raised or lowered, and there shall be no burning of materials where it could cause damage to any tree or tree group to be retained on the site or on land adjoining at any time.

Reason: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability. It is considered necessary for this to be a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

4) Notwithstanding any details submitted **no development/works shall commence** until a full schedule of all materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved schedule of materials and finishes unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interest of amenity and to ensure a development of visual quality. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission.

5) Nothing in this permission shall authorise the felling, lopping, topping or uplifting of any tree on the site protected by a Tree Preservation Order **other than** as specified on the submitted application documents.

Reason: To clarify the extent of this permission.

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

Reason: To provide car-parking space for the use

7) 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 submitted to and approved by the Local Planning Authority.

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

8) The development hereby permitted shall be carried out in strict accordance with the approved Site Specific Drainage Statement with Flood Risk Assessment produced by Archibald Shaw and the measures outside within paragraph 5 of the report following mitigation measures detailed within the report. **The mitigation measures shall be fully implemented prior to occupation** and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

9) **No development shall commence until** a strategy outlining details of the sustainable design and construction for all new buildings, including water use, building for life standards, sustainable building techniques and technology, energy consumption maximising renewable resources, and how a reduction in the impacts associated with traffic or pollution will be achieved including but not limited to charging electric vehicles, has been submitted to and approved in writing by the Local Planning Authority. The strategy shall demonstrate a water efficiency standard of 110 litres or less per person per day. The approved strategy shall be implemented as approved prior to first occupation unless any variation is agreed in writing by the Local Planning Authority.

Reason: To minimise the impact of the development upon climate change. These details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

10) The implementation of this planning permission shall be carried out strictly in accordance with the method of works and mitigation measures detailed in the recommendations section of the submitted Ecological Assessment dated 1st June 2017 produced by ECOSA Ltd.

Reason: To ensure that the protection of ecology and/or biodiversity is fully taken into account during the construction process in order to ensure the development will not be detrimental to the maintenance of the species.

11) The development hereby permitted shall be carried out in strict accordance with the approved Tree Survey and Arboricultural Impact Assessment and Method Statement dated December 2016 produced by Arbortech (Consultancy).

Reason: To ensure that the trees on and around the site are adequately protected from damage to their health and /or amenity value.

12) Notwithstanding the details hereby approved, prior to the installation of any external lighting, a scheme with details of their location, direction of light and level of illumination shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include measure to avoid light spillage and to mitigate the impact upon foraging and commuting bats. The scheme approved by the Local Planning Authority shall be implemented in accordance with the approved details and thereafter maintained as approved in perpetuity.

Reason: To protect the appearance of the area, the environment and local residents from light pollution and in the interests of preserving the nature conservation interests of the area.

13) **The development hereby permitted shall not be first brought into use** until a fully detailed landscape and planting scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities, and for large scale developments shall include a program for the provision of the landscaping. In addition all existing trees and hedgerows on the land shall be indicated including details of any to be retained, together with measures for their protection in the course of development. The scheme shall make particular provision for the conservation and enhancement of biodiversity on the application site. The works shall be carried out in accordance with the approved details and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice. The approved scheme shall be carried out in the first planting season after practical completion or first occupation of the development, whichever is earlier, unless otherwise first agreed in writing by the Local Planning Authority. Any trees or plants which, within a period of 5 years after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality and to enable proper consideration to be given to the impact of the proposed development on existing trees.

14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) the accommodation hereby permitted shall be restricted to use as ancillary accommodation to the existing dwelling at the site and at no time shall the accommodation be let for any commercial or tourism use separate to the main dwelling.

Reason: The site is in an area where a new dwelling would not normally be permitted except the demonstrable needs of the case.

15) Prior to the occupation of the dwelling hereby approved, the existing dwelling and outbuildings shown on plan no. JA12_P_00_002 shall be permanently demolished and all resultant debris removed from the site.

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas.

INFORMATIVES

1) 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.

2) The developer's attention is drawn to the provisions of the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc) Regulations 1994, and to other wildlife legislation (for example Protection of Badgers Act 1992, Wild Mammals Protection Act 1996). These make it an offence to kill or injure any wild bird intentionally, damage or destroy the nest of any wild bird intentionally (when the nest is being built or is in use), disturb, damage or destroy and place which certain wild animals use for shelter (including badgers and all bats and certain moths, otters, water voles and dormice), kill or injure certain reptiles and amphibians (including adders, grass snakes, common lizards, slow-worms, Great Crested newts, Natterjack toads, smooth snakes and sand lizards), and kill, injure or disturb a bat or damage their shelter or breeding site. Leaflets on these and other protected species are available free of charge from Natural England.

The onus is therefore on you to ascertain whether any such species are present on site, before works commence. If such species are found or you suspected, you must contact Natural England (at: Natural England, Sussex and Surrey Team, Phoenix House, 32-33 North Street, Lewes, East Sussex, BN7 2PH, 01273 476595, sussex.surrey@english-nature.org.uk) for advice. For nesting birds, you should delay works until after the nesting season (1 March to 31 August).

For further information on this application please contact Daniel Power on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OT8COHERIK000>