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| Parish: Plaistow And Ifold | Ward: Plaistow |
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PS/18/02939/FUL

Proposal Erection of 1 no. replacement dwelling, pool and garage buildings following demolition of all existing buildings and removal of hardstanding.

Site Valtony Loxwood Road Plaistow RH14 0NY

Map Ref (E) 501527 (N) 130885

Applicant Mr Southon

RECOMMENDATION TO PERMIT



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1.0 Reason for Committee Referral

1.1 Parish Council Objection - Officer recommends Permit.

2.0 The Site and Surroundings

2.1 The application site is a large residential plot situated on the southern side of Loxwood Road, approximately half a kilometre west of Ifold. The site contains a large two-storey house, a one-and-a-half-storey outbuilding (with garage at ground floor level with ancillary accommodation above), a stone archway structure and various elements of hardstanding. The existing buildings are of contemporary/1970s design and comprise predominantly red brick, tile hanging, and tiled roofs. The site slopes gently downwards (north to south) away from the frontage to Loxwood Road, and within the site are areas of woodland covered by a Tree Preservation Order (TPO) and classified as Ancient Woodland; although centrally in the site there are no trees. The application site is within the Bat Home and Movement Networks; and the presence of brown long-eared bats within the site is known. There are no constraints with regards to heritage value and the site is within Flood Zone 1.

3.0 Proposal

3.1 The application seeks planning permission to replace an existing dwelling, outbuilding, archway and hardstanding with a new two-storey dwelling, annexe and pool building.

3.2 The approximate dimensions of these proposed buildings would be as follows:

Dwelling (maximum dimensions including main building and linked side range):
28.42m length x 18.76m depth x 9.22m ridge height

Annexe:
14m long x 5m deep x 6.8m max/ridge height

Pool Building:
18.6m long x 7.6m deep x 5.9m ridge/max height

3.3 The proposed materials would include:

- Red facing brickwork
- Painted timber casement windows to front and side
- Aluminium windows to rear
- Stained timber cladding
- Reclaimed clay tiles
- Lead flashing to dormer cheeks
- Oak porch
- Soldier course detailing
- Arch brick lintels
- Glazed link
- Frameless balcony balustrade

3.4 The application has been revised since submission, following the request of officers to; reduce the footprint, scale and bulk of the replacement dwelling and pool building, alter fenestration primarily to the rear of the dwelling, reduce the proposed link element within the dwelling between the two sections, bring the outbuildings closer to the dwelling and further from the neighbouring boundary and protected trees, and other minor design related improvements.

4.0 History

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| 01/03075/DOM | PER | Two storey extensions at the front, rear and side. |
| 78/00065/PS | PER | 3 car garage, 1st floor music room. Existing garage to games room. |
| 79/00018/PS | WDN | Storage depot. |
| 86/00076/PS | PER | To retain existing brickwall & gateposts surmounted. |
| 88/00052/PS | DISMIS | c/u Reg nursing home and 14 no. sheltered housing units. |
| 95/00997/OUT | REF | One four/five bedroom detached house with double garage. |
| 97/00679/DOM | PER | Single storey rear extension. |
| 97/00831/DOM | PER | Two storey front extension. |
| 98/00863/DOM | PER | Two storey extension at rear and single storey extension at side. |
| 04/01614/FUL | REF | Erection of 1 no. five bedroom house. |
| 07/05187/DOM | PER | Conversion of existing garage to provide annex accommodation; erection of garage; removal of outbuilding. |
| 08/02270/DOM | PER | Single storey. Residential extension, comprising a swimming pool house and related facilities. |
| 08/04499/DOM | PER | Single storey extension comprising a pool house and related facilities. |

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| 18/00515/PLD | PER | Proposed lawful development - erection of single storey side extension and detached incidental outbuilding. |
| 18/00516/PLD | PER | Proposed lawful development - erection of single storey incidental swimming pool building. |
| 18/00532/PA1A | NOPA | Single storey flat roof rear extension (a) rear extension - 8m (b) maximum height - 2.8m (c) height at eaves - 2.5m. |
| 95/00076/REF | DISMIS | One four/five bedroom detached house with double garage. |

5.0 Constraints

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| Listed Building | NO |
| Conservation Area | NO |
| Rural Area | YES |
| AONB | NO |
| Ancient Woodland | YES |
| Tree Preservation Order | YES |
| EA Flood Zone | Flood zone 1 |

6.0 Representations and Consultations

6.1 Parish Council

Plaistow and Ifold Parish Council objects to this application.

The Parish Council is concerned that the information available in relation to this application is incomplete; and all relevant information should be available before a decision can be made. The area is rural in character with adjacent woodland and ponds and lakes therefore we would expect ecological survey work to include not only bats but other protected species. For example, there are water bodies within 500m of the development and, as such, a Great Crested Newt survey should have been undertaken, however this appears to have been over looked. The Arboricultural Impact Appraisal does not adequately identify the boundary of the ancient woodland and the proximity of the development to it. Consequently, it is difficult to assess the potential impact.

The proposed development has a substantial amount of glazing, including a full glazed link and numerous roof lights and the light spill will be significant. The Parish Council is concerned that the impact upon the bats has not been considered from the internal light spill into essentially a dark sky environment. The Environmental Officer appears only to have considered external lighting and we would respectfully request that the impact of the design scheme itself should be considered.

The proposed development is an imposing structure in a prominent position on one of the highest points in the parish and close to Public Rights of Way. The Parish Council is of the view that the visual impact of the scheme upon the countryside and the valued landscape has not been assessed.

6.2 CDC Environment Officer

Additional comments (received 10/01/19)

I have read through the Parish comments and the information relating to great crested newts, and it is not a requirement that every development that is within 500m of a water body has a great crested newt survey undertaken on it. As I am sure you would appreciate, almost all developments would need a survey if this was the case. Following Natural England's guidance I have assessed the site to determine what surveys would be required based on the habitat onsite and the proposed works. For this site, the habitat which was assessed as requiring further survey work was bats and these surveys have been undertaken. I don't feel that further survey work is required for this site and following NE guidelines we wouldn't ask for a GCN survey for this site.

Bats - Following submission of the Phase 2 Bat Emergence Survey (September 2018), we are happy that the mitigation proposed would be suitable. A condition should be used to ensure this takes place. The applicants should be aware that a Natural England Protected Species Licence will be required for the works, and this will need to be obtained prior to any works taking place.

The lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should 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.

Nesting Birds - 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 (with 24 hours of any work).

6.3 Tree Officer (summarised)

The area has 2 no. Tree Preservation Orders (TPO's) covering the site and adjacent property PS/88/00785/TPO and PS/05/00002/TPO which are both part of an ancient woodland (appropriate measures should be considered taking this into account), and covers all species but mainly consisting of Hornbeam, Maple, Ash Oak, Wild Service Tree.

I have reviewed the issue as a desktop exercise.

The proposal originally showed the outbuilding/garage complex slightly further north-west to where it is shown now (Latest Drawing: (SK)300 rev D) to alleviate the impact of the 2 no. adjacent Alder trees root protection areas. Clearly there is a line of Leyland Cypress trees on the boundary which are not shown on the drawing and other vegetation that could be impacted by the proposal. On the aerial photos (CDC's 2013 and Google maps 2019) the area to the north-east of the proposed outbuilding seems more densely tree'd.

The submitted Arboricultural Impact Appraisal dated November 2018, although unclear if written by a qualified Arboricultural expert, reviews the issues in accordance with BS 5837 (2012). No indication of where any protective fencing will be placed but the fencing shown in Appendix 1 of the report would be acceptable.

The foundations should not impinge on the RPA's of any adjacent trees. The only tree shown/close to the outbuilding is an Alder tree and its RPA is well away from the building. Conditions should require Protective fencing (shown on a plan) and no materials stored under the trees or within the RPA's, nor any mixing of cement or fires. There could be future pressure/impact on the existing adjacent trees, i.e. to fell or prune in order to help alleviate light and given proximity to the building.

6.4 Forestry Commission

No comments received to date.

6.5 Third Party Representations

One third party comment has been received, which neither supports nor objects to the planning application. The following comments were made within this representation, which are addressed within the main body of this report:

- Potential overlooking to neighbouring property
- Proximity of pool house to neighbouring boundary and noise
- Potential for noise complaints against neighbour by virtue of proximity of proposed house to existing neighbouring tennis court
- Suggests planting/screening condition to address all concerns raised

6.6 Applicant/Agent's supporting information

During negotiations with the applicant throughout the process, the following additional information was submitted

- Examples of nearby design including photos
- Additional design rationale and justification statement
- Various alternative design options for informal consideration
- Response to concerns raised by the LPA and Parish Council

7.0 Planning Policy

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans.

Chichester Local Plan: Key Policies 2014-2029

7.2 The principal planning policies relevant to the consideration of this application are as follows:

- Policy 1: Presumption in Favour of Sustainable Development
- Policy 2: Development Strategy & Settlement Hierarchy
- Policy 25: Development in the North of the Plan Area
- Policy 33: New Residential Development
- Policy 39: Transport, Accessibility & Parking
- Policy 40: Sustainable Design & Construction
- Policy 45: Development in the Countryside
- Policy 47: Heritage and Design
- Policy 48: Natural Environment
- Policy 49: Biodiversity

National Policy and Guidance

7.3 Government planning policy now comprises the National Planning Policy Framework (NPPF) 2019.

7.4 Section 2(Achieving sustainable development), paragraphs 10 and 11 state:
"So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development..."

"...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 proposed⁶; 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."

7.5 Sections 4 (Decision making), 12 (Achieving well-designed places) and 15 (Conserving and enhancing the natural environment) are also relevant to the consideration of the application.

7.6 Neighbourhood Plan

The Plaistow and Ifold Neighbourhood Plan is in the process of preparation and so there is no made neighbourhood plan for this area. Its policies consequently have little weight at this stage.

7.7 Other Local Policy and Guidance

The following documents are also relevant to the consideration of the application:

CDC Design Guidance for Alterations to Dwellings & Extensions 2009
CDC Surface water and drainage SPD

7.8 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:

- Support communities to meet their own housing needs
- Promote and increase sustainable, environmentally friendly initiatives in the district
- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

8.0 Planning Comments

8.1 The main considerations are as follows:

- i) Principle of development
- ii) Design, scale and impact on character of the area and countryside
- iii) Impact upon amenity of neighbouring properties
- iv) Highways and parking
- v) Ecological considerations
- vi) Trees
- vii) Other matters and material considerations

i) Principle of development

8.2 The application site is in lawful residential use and the proposed replacement of a single dwelling and outbuilding with a new dwelling and outbuildings is therefore considered acceptable in principle, subject to compliance with development plan policies and assessment of the material planning considerations as assessed below.

ii) Design, Scale, Character and Countryside

- 8.3 The proposed dwelling is substantial in size, however, officers consider that the proposal represents a high quality design that would respond to the context of the site and its surroundings. With regard to the change in size and scale from existing to proposed, the proposed footprint of built form on the site would be approximately 511 sq m, compared to the existing footprint of 402 sq m; however, noting the change of shape of the house from a rectangular form to more of an L-shape or N-shape. The maximum ridge height of the house is proposed to increase from approximately 8.6m to 9.2m (600mm increase). It is important to note that the proposed siting is further back in the plot where the site level is slightly lower. Given the change in site levels, albeit sloping away from the frontage, a condition can be attached requiring a site level plan to be submitted. In terms of the building's façade and main body, its width, depth and bulk would not increase by an unacceptable degree.
- 8.4 The increase in scale is considered to be relatively modest given the spacious nature of the plot, and the size of the site allows for such an increase in built form without the site appearing cramped or over-developed. With regard to the proposed pool building and garage/annexe, these are modest in size, of appropriate design in-keeping with the main house, and would replace an existing garage/annexe building of a similar size. It is understood that there was historically a pool building within the grounds of the existing dwelling; in the south-eastern corner where now only a hardstanding remains.
- 8.5 The site is well screened, particularly to the front and sides, and the siting of the proposed buildings are set back further from the road and at a slightly lower level; thus reducing any perceived impact. Therefore, there is not considered to be a detrimental impact on the street scene or surrounding countryside. A Public Right of Way (PROW) is located off Loxwood Road, approximately 60m to the east, but behind a section of ancient woodland; thus not allowing for views of the application site or development from this public vantage point.
- 8.6 It is considered that a great deal of information has been submitted alongside this application, outlining the rationale behind the proposed design. It is clear that the surrounding character, built form, vernacular and individual buildings have been taken into account. The applicant has also revised the design of the scheme following discussions with officers to address any concerns and make appropriate amendments to detailing, in addition to reducing the overall scale and massing of the dwelling and the pool building. The existing building is not of any architectural merit and the replacement, albeit larger, is considered to be of high quality design, sensitive to its surroundings.

8.7 The Parish Council has raised a number of design concerns; specifically the scale, level of fenestration and the glazed link. Since these comments were received, the scheme has been amended to reduce the scale, reduce the amount of glazing on the rear elevation and pool building, and to significantly reduce the glazed link element. The site is not within a designated landscape area, or within the National Park. The impact on the surrounding landscape has nevertheless been taken into account, and for the reasons set out above it is considered that the proposal would not be harmful to the landscape. In addition the fenestration has been reduced to reduce the amount of light spillage, albeit there is no specific planning policy for this area that requires dark night skies to be protected.

8.8 The proposal is therefore considered to be of an acceptable scale, form and design, would provide a better quality design and accommodation in comparison to the existing dwelling, and would not be to the detriment of the surrounding area or countryside; thus complying with Local Plan Policies 25, 33, 47 and 48.

iii) Impact upon amenity of neighbouring properties

8.9 There is only one nearby dwelling in relation to the application site; situated immediately to the west of the site, close to its frontage with Loxwood Road. The proposed replacement dwelling is set back deeper into the plot and further from the neighbouring boundary to the west. The westernmost elevation of the main dwelling would sit approximately 35 metres from the neighbouring boundary. Additional planting is proposed on the western boundary which would further screen the development from its neighbour. The occupier of this property has raised concerns regarding potential overlooking and noise. Since this comment was received, the scheme has been amended to move the proposed dwelling and pool house further from the boundary. As a result, and given the proposed dwelling and outbuildings would have a lesser relationship with the neighbouring property than the existing, it is considered that the amenity of the neighbouring property would be safeguarded. The proposal therefore accords with Local Plan Policy 33 and the Council's Design Guidance for Alterations to Dwellings & Extensions.

iv) Highways and Parking

8.10 The application does not involve changes to the access or a material change or intensification of the site's use. Adequate parking and turning for vehicles remain within the site, and there would be sufficient covered areas for cycle parking. Thus, there are no implications for highways safety or parking, subject to the construction process being controlled through a Construction Management Plan, which can be made the subject of a condition. The proposal therefore complies with Local Plan Policy 39.

v) Ecological considerations

- 8.11 The only known significant ecological designations on the site are the presence of bats; in particular brown long-eared bats. The site is also within the Bat Home and Movement Networks and involves demolition of buildings. As such, a Stage II Bat Survey and Report have been undertaken and submitted, which includes proposed mitigation. The Council's Environment Officer was consulted and raised no objections to the proposal, subject to the development and mitigation being fully implemented in accordance with the measures proposed within this report. This can be secured via a condition, and therefore the proposal can be considered acceptable in terms of biodiversity and would accord with Local Plan Policy 49.
- 8.12 It is noted the Parish Council has raised concern that a wider biodiversity survey should have been undertaken, including to establish the likelihood of great crested newts on site. However, it is not a requirement for a great crested newt survey to be carried out in all circumstances where there is a water body within 500m and for all scales and types of development. Natural England advice states that a survey is only required if all three of the following criteria are present: 1) records suggest newts may be present, there is a pond within 500m of the site, and the development contains suitable habitats. It is evident that there is no historical record of newts on the site, in addition to limited suitable habitats. The Council's Environment Officer has assessed the site in terms of its likely habitats, required surveys and standing advice from Natural England, and determined that further ecological surveys are not required. Great crested newts are nevertheless protected under separate legislation, and an informative can be included making the applicant aware of this.

vi) Trees

- 8.13 The main body of the development, including the replacement house and the pool building, would be sited within the centre of the site where there are no trees; however, the proposed garage/annexe building would be closer to TPO trees and ancient woodland. Since the application was first submitted, the applicant has provided additional information including a Tree Protection Plan and, in addition to this, the siting of the proposed garage/annexe building has been moved further away from the protected trees/ancient woodland within this tree line. The siting of the outbuilding is now clearly outside the root protection area (RPA) of the nearest protected tree, and considered to be sufficient distance from the nearby trees so as to no material impact upon them. The outbuilding would be partly within an area of existing hardstanding/foundation, which would be removed as part of the development.

- 8.14 The applicant had proposed to remove the existing hardstanding using a hand-dig method and to use appropriate piling foundation for the buildings. Now that the proposed building is sited further from the trees, this hand-dig method and foundation type is not considered necessary, as confirmed by the Council's Tree Officer, and therefore this is not the subject of a condition. The Council's Tree Officer was consulted and raised no objection to the application, although does comment on the potential for future pressures on these nearby trees in terms of pruning or light received. However, given the nearest tree is 7.2m away and the scale of the outbuilding is relatively minor, there is not considered to be any significant impact on nearby trees, nor would there be a likely requirement for them to be pruned. Conditions are recommended requiring the tree protection measures to be implemented prior to the commencement of works and for the planting of new trees in accordance with a submitted landscaping scheme.
- 8.15 For the reasons set out above it is considered that the proposal would not result in any adverse impact to trees within the site, and therefore the proposal accords with policy 48 of the Local Plan which seeks to protect trees and biodiversity.

vii) Other Matters and Material Considerations

- 8.16 There are not considered to be any implications for flood risk or drainage given the nature of development and siting within Flood Zone 1.
- 8.17 The agent has agreed to the inclusion of all pre-commencement conditions.

Conclusion

- 8.18 The proposal is considered to be in accordance with local and national development plans and guidance, including design and rural policies 25, 33, 47 and 48 of the Chichester Local Plan, and would preserve the character and amenity of the surrounding area and countryside; and is therefore acceptable. There are no other material considerations which outweigh this conclusion.

Human Rights

- 8.19 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 permit is justified and proportionate.

9.0 Officer Recommendation

RECOMMENDATION PERMIT subject to the following conditions and informatives:-

- 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 permitted shall not be carried out other than in accordance with the approved plans: SK300 Rev D, SK301 Rev E, SK302 Rev D, SK303 Rev G, SK304 Rev D & SK307 Rev A.

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

- 3) No development shall commence until plans of the site showing details of the existing and proposed ground levels, proposed finished floor levels, levels of any paths, drives, garages and parking areas and the proposed completed height of the development and any retaining walls have been submitted to, and approved in writing by, the Local Planning Authority. The details shall clearly identify the relationship of the proposed ground levels and proposed completed height with adjacent buildings. The development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

4) No development or demolition shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The measures approved within the CMS shall thereafter be fully adhered to during the demolition and construction process. The CMS should provide for the following:

- a) hours of delivery
- b) details and method of demolition
- c) provision for parking of vehicles
- d) provision for storing of equipment, materials and waste
- e) details for the erection and maintenance of any security hoarding
- f) measures to control emission of dust and noise
- g) provision of road sweepers and/or wheel washing facilities
- h) details of proposed external lighting to be used during construction, which should only be used for security and safety purposes, including measures to limit the disturbance from any lighting required
- i) waste management, including prohibiting burning of materials/waste

Reason: In the interests of highway safety and protecting nearby residents from nuisance during all stages of development, and to ensure the use of the site does not have a harmful environmental effect. 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.

5) No development shall commence on site, including demolition, until protective fencing has been erected in accordance with the approved Tree Protection Plan (drawing number SK307 Rev A) and in accordance with the 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 preservation and protection of the protected trees and trees designated as ancient woodland. 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.

- 6) Notwithstanding any details submitted, no development above ground floor slab level of any part of the development 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 buildings 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.

- 7) The development hereby permitted shall not be first occupied 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, referencing the indicative planting and screening shown within the approved Tree Protection Plan (drawing number SK307 Rev A), and schedule of plants: noting species, plant sizes and proposed numbers/densities. 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.

- 8) The construction of the development and associated works, including demolition, shall not take place on Sundays or Public Holidays or any time otherwise than between the hours of 0700 hours and 1800 hours Mondays to Fridays and 0800 hours and 1300 hours on Saturdays.

Reason: In the interests of residential amenity.

- 9) On the day on which the new dwelling or garage annexe hereby permitted is first occupied, whichever is the earlier, all existing buildings within the application site shall cease to be occupied and within three months of that day the existing dwelling and all existing outbuildings and hardstanding shall be demolished and removed, the resultant materials cleared from the site, and the land reinstated in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to secure the removal of the existing dwelling and outbuildings which are being replaced, and in order to protect the character of the area and countryside.

- 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 Phase 2 Bat Emergence Survey produced by S.G. Dodd, dated September 2018.

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

- 11) The proposed hard surfaces hereby permitted shall either be made of porous materials or provision shall be made to direct run-off water from the hard surfaces to a permeable or porous surface within the site, and thereafter shall be maintained as approved in perpetuity.

Reason: To ensure adequate provision for surface water drainage and to avoid discharge of water onto the public highway.

- 12) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, and the Town and Country Planning (General Permitted Development) Order 2015, or in any other statutory instrument amending, revoking and re-enacting these Orders, the two outbuildings hereby permitted consisting of the garage with accommodation at first floor and the pool building shall only be used as ancillary accommodation to the host property known as 'Valtony' as shown within the red line boundary of the Location Plan.

Reason: In the interest of amenities and to prevent the use of the building as a new dwelling which would not normally be considered acceptable in this countryside location?

13) Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) no building, structure or other alteration permitted by Classes A and E; of Part 1 Schedule 2 shall be erected or made on the application site without a grant of planning permission.

Reason: In the interests of protecting the amenity of neighbours and the surrounding area, and to prevent overdevelopment of the site and preserve the rural character of the countryside.

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).

3) A Natural England Protected Species Licence will be required for the works, which will need to be obtained prior to any works taking place.

For further information on this application please contact James Gellini on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PHTTPGERLM700>