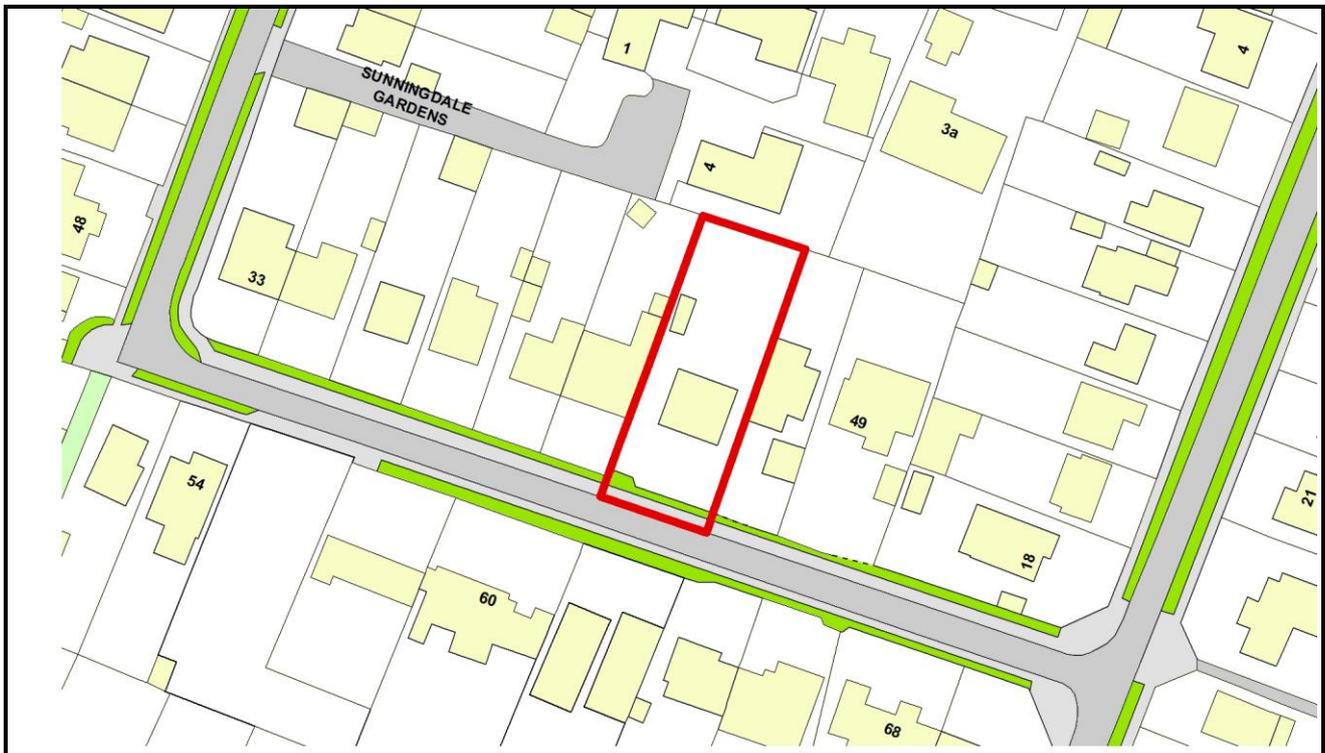


Parish: West Wittering	Ward: The Witterings
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WW/19/01622/FUL

Proposal	Demolition of an existing bungalow with a garage and erection of 2 no. replacement two storey dwellings with separate access and parking.		
Site	Surbitonia 45 Howard Avenue West Wittering PO20 8EX		
Map Ref	(E) 478906 (N) 97259		
Applicant	Mr Les Higgins	Agent	Mr Patrick Ciemierkiewicz

RECOMMENDATION TO PERMIT



	<p>NOT TO SCALE</p>	<p>Note: Do not scale from map. For information only. Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office, Crown Copyright. License No. 100018803</p>
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1.0 Reason for Committee Referral

1.1 Parish Objection - Officer recommends Permit

2.0 The Site and Surroundings

2.1 The application site is located on the northern side of Howard Avenue, a residential street within the East Wittering and Bracklesham settlement boundary. Howard Avenue comprises a mix of architectural styles with earlier brick built bungalow buildings being present alongside a mix of larger two storey dwellings. There is a range of detached and semi-detached properties along Howard Avenue, most of which are set back from the road side with the provision of front amenity space.

2.2 The character of the road comprises of a mix of one and two storey detached and semi-detached properties of various heights and scale. The front gardens are open to the road with some low level walls abutting the pavements. The site is occupied by a detached bungalow, with a detached garage.

3.0 The Proposal

3.1 The application seeks planning permission for the demolition of the existing bungalow and garage the construction of 2 no. two storey detached dwellings, each with 3 bedrooms. Both dwellings would each incorporate a private driveway accommodating 3 parking spaces (six in total) and front gardens with both hard and soft landscaping.

3.2 Each of the proposed new dwellings would have a height of 7m, a width of 6.7m and an eaves height of 4.9m whilst the depth of the proposed dwellings would vary. The depth of the proposed dwelling on plot 1 would measure approximately 12.9m at 2 storeys increasing to 17.9m with the single storey rear projection. The depth of the proposed dwelling on plot 2 would measure 14.4m at 2 storeys increasing to 17.1m with the single storey rear projection.

3.3 Both properties would comprise a mix of materials and finishing. Plot 1 would be a mixture of timber cladding and white render with dark grey windows and a slate roof. Plot 2 would comprise a mix of timber cladding and brickwork with dark windows and a slate roof.

3.4 The dwellings have been amended since the original submission, and these changes include;

- introduction of hipped roofs
- replacement of dark coloured cladding with lighter cladding, render and brick work to the elevations
- stepping back of plot 1 to provide a respond to the varied building line
- introduction of balcony on front elevation of plot 1
- provision of additional landscaping to plot 1

5.0 Constraints

Listed Building	No
Conservation Area	No
CLP Designated Countryside	No
AONB	No
Tree Preservation Order	No
EA Flood Zone	
- Flood Zone 2	No
- Flood Zone 3	No
Historic Parks and Gardens	No

6.0 Representations and Consultations

6.1 Parish Council

Further comments (21/10/2019)

In my opinion all the reasons for the Council objecting remain: over-development of the site, excessive bulk, inadequate parking and out of character. One might add that these proposed houses do nothing to meet the needs of the community. I.e. bungalows for the elderly and affordable housing for the young.

Objection on the grounds that the development is contrary to the Parish Council's Village Design. In particular the cumulative effect that the over development of the site has on the village and the dark cladding on one of the properties. The space is also very narrow for two large houses and the impact on parking in the area is also a major problem.

Original comments (02/08/2019)

Objection on the grounds that the development is contrary to the Parish Council's Village Design. In particular the cumulative effect that the over development of the site has on the village and the dark cladding on one of the properties. The space is also very narrow for two large houses and the impact on parking in the area is also a major problem.

6.2 WSCC Highways

Summary

This proposal is for the demolition of an existing bungalow and erection of 2 detached two-storey dwellings. The site is located on Howard Avenue, an unclassified road subject to a speed limit of 30mph.

Access and visibility

Each dwelling will have a separate access onto Howard Avenue. The proposed widths of the accesses are approximately 7.5m for plot one and 4.1m for plot two. The existing vehicle crossover (VCO) for plot one will require widening, whilst the access for plot two will require a new VCO. Both will be subject to a licence and constructed to a specification agreed with the Local Area Engineer the applicant should be aware that a maximum width of 6.4m is permitted for accesses, so the proposed access for plot one may have to be revised to meet this.

Visibility at the accesses appears sufficient and inspection of collision data provided to WSCC by Sussex Police from a period of the last 5 years reveals no recorded injury accidents within the vicinity of the site. Therefore there is no evidence to suggest the existing access is operating unsafely or that the proposal would exacerbate an existing concern.

The crossover works will require the relocation of the road sign located on publically maintained highway fronting the application site. These relocation works would need to be undertaken at the expense of the applicant. It is the responsibility of the applicant to liaise with the necessary parties to organise the moving of the road sign. The sign will need to be relocated at least 1.5m from the location of the top of the ramped kerb of the proposed VCO. Alternatively, the plans could be modified so the VCO is at least 1.5m away from the road sign.

Parking and turning

3 car parking spaces are proposed for each dwelling, 6 in total. Each parking bay meets the minimum specifications for single car bays of 2.4m x 4.8m as set out in Manual for Streets. The WSCC Car Parking Demand Calculator indicates that each property would create a demand for 3 car parking spaces, which the plans meet.

On-site turning does not appear to be achievable, so vehicles may have to exit the site onto Howard Avenue in a reverse gear. This is the existing arrangement and neighbouring properties also appear to operate similar arrangements. Given that they are operating safely, this proposal is not anticipated to result in a highway safety concern

Sustainability

The site is situated within walking distance of shops and a primary school. Buses can be caught from Cakeham Road, an approximate 2 minute walk from the site, offering services within the Witterings and to Chichester.

Cycling is a viable option in the area. Secure and covered cycle storage was demonstrated in the plans. The inclusion of cycle storage increases the sustainability of the site by offering alternative modes of transport to the private car.

Conclusion

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

If the LPA are minded to approve the application, the following conditions and informative should be applied:

Conditions

Car parking space (details approved)

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

Cycle parking

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

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

Informatives

Vehicle Crossover - Minor Highway Works

The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:

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

Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/>

Street Sign

The applicant is advised to organise the relocation works of the street sign.

6.3 CDC Environment Officer

Bats

Following submission of the Bat Survey Report (July 2019) 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 License 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.

Reptiles

To ensure the site remains unsuitable for reptiles, the lawn area should be mown over the winter months to ensure reptile habitat does not develop onsite. If this is not possible then a precautionary approach should be taken within the site with regards to reptiles.

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).

We would like a bird box to be installed on new properties and/ or tree within the garden of the property.

Recreational Disturbance

For this application we are satisfied that the only HRA issue is recreational disturbance and as long as the applicant is willing to provide a contribution to the Bird Aware scheme, the standard HRA Screening Matrix and Appropriate Assessment Statement template can be used.

6.4 CDC Environmental Health

Our department has no objection to the proposals from an Environmental Health perspective.

6.5 CDC Land and Coastal Drainage Officer

Additional comments (15/08/2019)

Winter groundwater monitoring was completed. But winter infiltration testing at appropriate depths above this have not. I would not want to change the condition to prior to construction. Surface water drainage should be one of the first things constructed. It should still be prior to commencement.

FYI- Infiltration potential can vary significantly over small distances, building control officers also frequently fail to obtain infiltration test results. On site infiltration tests must be completed in the winter in accordance with BRE365.

Further comments (07/08/2019)

No winter infiltration testing appears to have been completed to date. The groundwater levels recorded do not preclude the use of infiltration.

Thank you for consulting us. I have the following comments regarding flood risk and surface water drainage.

Flood risk- the application lies within flood zone 1 (low risk), we therefore have no objections to the proposals on flood risk grounds.

Surface water drainage- the application form indicates that soakaways are proposed for surface water disposal. However, the documents submitted include some winter groundwater monitoring, with groundwater reaching 0.59-0.69m below ground level. Shallow infiltration testing should be completed in the winter above this depth to examine if permeable paving is a suitable solution for surface water drainage. It may be that infiltration is not suitable on this site.

If you are minded to approve this application please apply the following condition to ensure the development is adequately drained:

"Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to, and approved in writing by, the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems, as set out in Approved Document H of the Building Regulations and the SuDS Manual produced by CIRIA. Winter groundwater monitoring, to establish the highest annual ground water levels, and winter Percolation testing to BRE 365, or a similar approved method, will be required to support the design of any infiltration drainage. No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details."

Original comments (17/07/2019)

Flood risk- the application lies within flood zone 1 (low risk), we therefore have no objections to the proposals on flood risk grounds.

Surface water drainage- the application form indicates that soakaways are proposed or surface water disposal. However, the documents submitted include some winter groundwater monitoring, with groundwater reaching 0.59-0.69m below ground level. Shallow infiltration testing should be completed in the winter above this depth to examine if permeable paving is a suitable solution for surface water drainage. It may be that infiltration is not suitable on this site.

If you are minded to approve this application please apply the following condition to ensure the development is adequately drained: "Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to, and approved in writing by, the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems, as set out in Approved Document H of the Building Regulations and the SuDS Manual produced by CIRIA. Winter groundwater monitoring, to establish the highest annual ground water levels, and winter Percolation testing to BRE 365, or a similar approved method, will be required to support the design of any infiltration drainage. No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details."

6.6 Third Party Objections

4 letters of objection have been received raising the following issue;

- a) Living opposite the development we note that the application states Cedral Click smooth fibre cement cladding C04 is to be used. C04 is black and we strongly object to the use of this colour cladding.
- b) After losing the open aspect of a bungalow being replaced by two houses, the use of black cladding will be oppressive and imposing and in complete contrast to any the building in Howard Avenue.
- c) Document Design and Access statement is confusing. The artist impressions show plot 1 as vertical wood cladding and plot 2 at black cladding , however in section 8 the materials are reversed with plot 1 being black cladding and plot 2 wood cladding.
- d) This part of Howard Avenue is already overdeveloped.
- e) Replacing single storey bungalows with two detached 3 or 4 bedroom houses on several plots already has changed the character of the road and made it feel much more enclosed and urban when before it felt light and airy, as is appropriate so close to the sea.
- f) Allowing this development will start to make the streetscape oppressive - the very dark/black finish on one of these proposed houses will only intensify this. This is an inappropriate over-development of the site.
- g) The 2006 West Wittering Village Design Statement already noted that some areas in this part of the village appeared overcrowded.

6.7 Third party letters of support

3 letters of support have been received providing the following comments;

- a) Significantly enhance both the plot and also the road

6.8 Applicant/Agent's Supporting Information

We also note the latest comments from the drainage engineer and we would like to advise that no site we have ever worked on has installed drainage prior to demolition, site strip or foundation installation as it is not practical. We are asking for the pre-commencement to be changed to above ground construction, as once the foundation trenches are poured we cannot proceed until the drainage has been installed. This will give us enough time to monitor, and clear the condition whilst allowing my client to start the project within incurring additional costs for having a site that is un-occupied but cannot demolished.

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 West Wittering 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 47: Heritage and Design
Policy 48: Natural Environment
Policy 49: Biodiversity

National Policy and Guidance

- 7.3 Government planning policy now comprises the 2019 National Planning Policy Framework (NPPF), paragraph 11 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development, For decision-taking this means:

- a) approving development proposals that accord with an up-to-date development plan without delay; or
- b) 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 4 (Decision-Making), 9 (Promoting Sustainable Transport), 12 (Achieving well-designed places), 14 (Meeting the challenge of climate change, flooding and coastal change), 15 (Conserving and enhancing the natural environment).
- 7.5 The government's New Homes Bonus (NHB) which was set up in response to historically low levels of housebuilding, aims to reward local authorities who grant planning permissions for new housing. Through the NHB the government will match the additional council tax raised by each council for each new house built for each of the six years after that house is built. As a result, councils will receive an automatic, six-year, 100 per cent increase in the amount of revenue derived from each new house built in their area. It follows that by allowing more homes to be built in their area local councils will receive more money to pay for the increased services that will be required, to hold down council tax. The NHB is intended to be an incentive for local government and local people, to encourage rather than resist, new housing of types and in places that are sensitive to local concerns and with which local communities are, therefore, content. Section 143 of the Localism Act which amends S.70 of the Town and Country Planning Act makes certain financial considerations such as the NHB, material considerations in the determination of planning applications for new housing. The amount of weight to be attached to the NHB will be at the discretion of the decision taker when carrying out the final balancing exercise along with the other material considerations relevant to that application.

Other Local Policy and Guidance

- 7.6 The following documents are material to the determination of this planning application:
- Planning Obligations and Affordable Housing SPD
 - Surface Water and Foul Drainage SPD
 - CDC Waste Storage and Collection Guidance
 - West Wittering Village Design Statement
- 7.7 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. Impact on visual amenity, character of site and surroundings
- iii. Impacts on amenity of neighbouring properties
- iv. Highway safety and parking
- v. Drainage
- vi. Ecological considerations
- vii. Sustainability

Assessment

i. Principle of the development

8.2 The application site is located within the settlement of East Wittering and Bracklesham, a designated Settlement Hub which as defined by Policy 2 of the Chichester Local Plan is a suitable location for new development. The site is close to the centre of the settlement and there are a range of services and facilities within the centre that ensures the site lies in a sustainable location. In accordance with the NPPF there is a presumption in favour of sustainable development.

8.3 Consequently it is considered that in this location the demolition of the existing property and its replacement with two detached dwellings is supported, in principle, by the current plan for the district and the overarching objectives of the 2019 NPPF.

ii. Impact on visual amenity, character of site and surroundings

8.4 Policy 33 of the Local Plan 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. Paragraph 127 of the NPPF requires development to establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

8.5 The site is located within a row of properties that vary in form, height, detailed design and appearance. The application site lies within Area 3 (South East Marine) of the West Wittering Village Design Statement (VDS), and the VDS states that the character of the area is eclectic and presents few limitations on the style of any new development. Along the southern section of Howard Avenue there have been a number of changes to the character and appearance of properties in recent years. Existing properties have introduced replacement facing materials on existing dwellings, such as Cedar boarding to reflect the coastal character of newer properties in the locality, and several modern 2 storey dwellings have been constructed close to the application site. As such the street upon which the application site lies has a varied character, which provides scope to accommodate new development of a high quality without harm to the character and appearance of the locality.

- 8.6 The proposed development would subdivide the plot into 2 no. residential parcels whilst maintaining gaps between the two plots and surrounding development. The gaps between properties would be comparable to other properties in the locality, many of which have a tightknit relationship with surrounding dwellings. The proposed plots would be slightly narrower than other plots within the street, however it is considered that the creation of two slightly narrower plots would not in itself be harmful to the character of the streetscene. The properties would be set back from the front of the site. Plot 1 would be set slightly further forward than Plot 2, which would positively address the disparity in building lines between Nos 43 and 49 Howard Avenue. Most properties along Howard Avenue are set back from the main road and provide off-road parking forward of the dwellings. Therefore the siting of the dwellings, provision of off road parking and landscaping within the front gardens would ensure that the character of the area would be reinforced.
- 8.7 The proposed siting of the properties would ensure that the buildings would reflect the existing layout and character of Howard Avenue. It is therefore considered that whilst the amount of development within the site would increase, the proposed sub-division of the existing plot and the creation of 2 dwellings on the site would not appear unduly cramped or an over development of the site.
- 8.8 Howard Avenue comprises a mix of 1 and two storey dwellings. The height of the dwellings would match that of the neighbouring properties. The layout of the site coupled with the proposed ridge heights at, or below, the other 2 storey properties in the street would ensure that the massing and bulk of the units would be incorporated well within the existing street scape. Therefore, whilst the proposed development would replace a bungalow it would not appear incongruous within the streetscene. Furthermore, the proposed dwellings would be individually designed properties with a mixed pallet of materials appropriate to the locality, ensuring that the buildings would assimilate well into the streetscene. The concerns about the use of dark coloured cladding have been resolved via the submission of amended plans replacing the dark cladding with a lighter finish.
- 8.9 Recent developments have taken place in the immediate area of Howard Avenue, with a mix of architectural styles and materials being used. These developments utilize similar shaped/sized plots of land as 45 Howard Avenue and have developed these with detached housing of comparable scale to that of the proposed. The proportions of the proposed dwellings are similar to that of other new build developments within the immediate area. The length and width of the dwellings allow for side access, rear amenity space and on site car parking to the front. The proposal has been amended to increase the soft landscaping to the front of the two proposed dwellings and the inclusion of a small front boundary wall. This is in keeping with the character of the area and is recommended a condition is attached to secure full details of the boundary treatments.

8.10 Taking the above considerations into account, the development would achieve a high quality design that would be assimilated into the existing street scape positively. On this basis, the development would accord with Policy 33 of the Chichester Local Plan, Section 7 of the NPPF and the West Wittering Village Design Statement

iii. Impacts on amenity of neighbouring properties

8.11 The NPPF states in paragraph 127 that planning should ensure a good quality of amenity for existing and future users (of places), and policy 33 of the CLP include requirements to protect the amenities of neighbouring properties.

8.12 The neighbouring property to the west includes a single storey side and rear extension abutting the boundary with the application site, and the first floor bedroom window is set off of the boundary. To the east, the neighbouring property is also 2 storeys, and it includes a rear single storey pitched roof extension. Neither proposed dwelling would encroach within the 45 degree angle, taken from the centre point of nearest rear facing window of the properties either side of the site, as set out in the Council's design guidance.

8.13 The proposed fenestration of the two dwellings ensures that all main windows to habitable spaces are located on the north and south facades. Any windows that are located on the east and west elevations, at first floor, would be located at high level, with windows to ensembles/bathrooms being obscure and fixed below 1.7m from finished first floor level. In addition, the proposed balconies would be provided with privacy screens to ensure they would not result in overlooking.

8.14 In order to ensure that the properties are not further extended in a manner that would be overbearing it is recommended that Permitted Development Rights for extensions and roof alterations be removed. This will therefore require any further extension to be assessed by the Local Planning Authority.

8.15 On balance the proposal would be sufficiently distanced, orientated and designed so as not to have an unacceptable effect on the amenities of the neighbouring properties, in particular to their outlook and privacy. Therefore it is considered that the development complies with policy 33 of the current CLP and 127 of the 2019 NPPF.

iv. Highway safety and parking

8.16 Parking would be achieved by utilising driveways at the front of the plots. The vehicular parking area would be capable of accommodating 3 cars without the use of a garage. At the rear of the garden, bicycle storage provision would be provided in form of small sheds.

8.17 WSCC Highways have been consulted and have not raised a highway safety objection. Conditions have been suggested which have been integrated into this recommendation.

8.18 Therefore, the proposal would accord with policies, 8 and 39 of the CLP which seeks to ensure that new development has acceptable parking levels, and access and egress to the highway.

v. Drainage

8.19 The CDC Land and Coastal Drainage Officer has been consulted and has provided advice regarding surface water drainage and requested a 'Prior to commencement' condition be attached to any permission, as the surface water drainage should be one of the first things constructed. The applicant has requested that the demolition be allowed to take place, rather than preventing commencement of development, prior to the submission of drainage details. Officers consider that an amendment to the suggested condition to require further monitoring and surface water drainage details prior to any ground works, footings and construction of the walls taking place would be reasonable. This would allow for the demolition to be undertaken whilst these matters are agreed as part of a discharge of condition application, and therefore no construction could begin on site until the drainage details have been approved by the local planning authority.

vi. Ecological considerations

8.20 Policy 50 of the Chichester Local Plan states that; it is Natural England's advice that all net increases 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 2017. In the absence of appropriate avoidance and/or mitigation measures that will enable the planning authority to ascertain that the development would not adversely affect the integrity of the SPA, planning permission will not be granted because the tests for derogations in Regulation 62 are unlikely to be met. Furthermore, such development would not have the benefit of the presumption in favour of sustainable development in the National Planning Policy Framework.

8.21 The Applicant has submitted a Unilateral Undertaking and a financial contribution for the additional dwelling proposed on the site. In addition, the local planning authority has carried out an Appropriate Assessment which has concluded that the likely significant effect has been mitigated appropriately given the submitted mitigation measures.

8.22 In respect of protected species; evidence of bats have been found within the existing bungalow and appropriate surveys have been submitted. The Council's Environment Officer has confirmed that the surveys are acceptable and propose suitable mitigation measures. A condition is proposed to ensure the development is carried out in full accordance with the surveys. In respect of this matter a Natural England license will also be required in addition to the planning permission.

8.23 For the reasons set out above the proposal would accord with national and local planning policies in respect of ecological considerations.

vi. Sustainability

8.24 Policy 40 of the Chichester Local Plan seeks to minimise the impact of the development upon climate change. A condition is recommended to ensure that a strategy outlining details of the sustainable design and construction, including charging points is submitted.

Conclusion

8.25 On balance of all aspects of this case it is considered that the proposal complies with the Development Plan and there are no material considerations that indicate otherwise therefore, subject to conditions permission should be granted.

Human Rights

8.26 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.

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 be carried out in accordance with the plans listed below under the heading "Decided Plans"

Reason: For the avoidance of doubt and in the interests of proper planning.

3) The implementation of this planning permission shall be carried out strictly in accordance with the method of works, recommendations, enhancements and mitigation measures detailed in the submitted; Bat Survey Report (July 2019) by aLyne ecology.

Reason: To ensure that the protection of protected species, 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.

4) Prior to any ground works taking place to form the; footings and/or slabs for the dwellings and any proposed external surfaces, boundary treatments and outbuildings hereby permitted; a proposed surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority.

The design of which should follow the hierarchy of preference for different types of surface water drainage disposal systems, as set out in Approved Document H of the Building Regulations and the SuDS Manual produced by CIRIA. Winter groundwater monitoring, to establish the highest annual ground water levels, and winter Percolation testing to BRE 365, or a similar approved method, will be required to support the design of any infiltration drainage.

The development shall only be implemented in accordance with the agreed drainage scheme.

No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details.

Reason: in the interest of water management to ensure suitable drainage for this site and in the interest of managing localised flood risk.

5) Notwithstanding the information regarding materials within the approved plans and application details; no development, in respect of the construction of the walls and roofs for the replacement dwellings hereby permitted, shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls, roofs and window and doors of the main house and hard surfaces for the gardens and parking areas have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and to ensure buildings of visual quality.

6) Prior to completion or first occupation of the dwellings hereby permitted whichever is the sooner details of the existing (those to be retained) and proposed boundary treatments shall be provided in accordance with a scheme that shall first be submitted to and approved in writing by the Local Planning Authority.

The scheme shall include;

- (a) a scaled site plan showing the location and lengths of the boundary treatments and scaled elevations, and
- (b) details of the materials and finishes.

Thereafter the boundary treatments shall be maintained as approved in perpetuity.

Reason: In the interests of protecting visual amenities.

7) No part of the development hereby permitted shall be first occupied until the car parking has been constructed and laid out in accordance with the approved site plan and the details specified within the application form. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: In the interests of amenity and ensuring sufficient car parking on-site to meet the needs of the development.

8) Before development commences, detailed plans and proposals shall be submitted to the Local Planning Authority for approval showing:

- i) refuse bin storage (sufficient for 2 no. 240 litre wheeled bins);
- ii) secure cycle storage.

The cycle storage required shall take the form of a covered building or other structure available on a 1 to 1 basis for each dwellinghouse hereby permitted. Once approved, the storage shall be provided for each dwellinghouse and shall thereafter be kept permanently available for the stated purpose.

The development shall not be carried out other than in accordance with the approved details.

Reason: To encourage non-car modes of transport and to ensure proper provision for refuse disposal.

9) The development hereby permitted shall not be first brought into use until full details of the hard and soft landscaping have been submitted to and agreed in writing by the Local Planning Authority.

The details shall include; a scaled site plan indicating the planting scheme for the site showing the, schedule of plants and positions, species, plant sizes (at time of planting), and proposed numbers/densities. In addition, the scheme shall include details of all existing trees and hedgerows on the land including details of any to be retained, together with measures for their protection during the course of the development. The scheme shall make particular provision for the conservation and enhancement of biodiversity on the application site.

The landscaping scheme shall also include full details of any proposed hard landscaping showing any external hardsurfaces and their positions, materials and finishes.

The works shall be carried out in full 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 and to conserve and enhance biodiversity.

10) 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 Class A, B, C and D 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.

11) The proposed hardstanding and driveway shall be constructed of porous materials and shall be retained in that condition in perpetuity.

Reason: To protect the environment, restrict the amount of additional run off water and to reduce the risk of surface water flooding.

12) Any proposed external lighting system shall comply with the Institute of Lighting Engineers (ILE) guidance notes for the Reduction of Light Pollution and Bat Survey Report (July 2019) by a Lyne ecology.

Reason: in the interest of conservation of wildlife and protected species and in the interest of light pollution.

13) 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. This strategy shall reflect the objectives in Policy 40 of the Chichester Local Plan: Key Policies 2014-2029. 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.

Decided Plans

The application has been assessed and the decision is made on the basis of the following plans and documents submitted:

Details	Reference	Version	Date Received	Status
PLAN - SUBSTITUTE PLAN 30/8/19 PROPOSED SITE PLANS	28064-PL101	REV D	12.11.2019	Approved
PLAN - SUBSTITUTE PLAN 30/8/19 PROPOSED FLOOR PLANS	28064-PL102	REV E	12.11.2019	Approved
PLAN - SUBSTITUTE PLAN 30/8/19 PROPOSED SECTION	28064-PL104	REV B	12.11.2019	Approved

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) The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page: <https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>
Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/>

4) The applicant is advised to organise the relocation works of the street sign, and the onus is upon the applicant to ensure any necessary consents or licences to carry out these works are obtained in advance of the works.

5) The applicants should be aware that a Natural England Protected Species License will be required for the works, and this will need to be obtained prior to any works taking place

For further information on this application please contact Maria Tomlinson on 01243 534734

To view the application use the following link -

<https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PTECV3ERMBG00>