


Parish: Bosham	Ward: Harbour Villages
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BO/20/03326/FUL

Proposal	Demolition of existing house and garage and the construction of new house and garage. Amendments to site levels and additional planting.		
Site	Five Elms Stumps Lane Bosham PO18 8QJ		
Map Ref	(E) 481161 (N) 103764		
Applicant	Mr and Mrs M Hayman	Agent	Mr Andrew Black

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 forms a corner plot located within the defined settlement boundary of Bosham and within the Chichester Harbour Area of Outstanding Natural Beauty (AONB). The site is located to the north of Stumps Lane, east of Stumps End, and to the west of Taylors Lane. There is a small parcel of land immediately to the west of the site (east of Taylors Lane) that falls outside of the application site and this land is not within the applicant's ownership. The site lies on the edge of the settlement, where there is a transition from the built up settlement into the rural open landscape. The site lies within Flood Zones 2 and 3.
- 2.2 There is an existing two storey dwelling at the east of the site and an outbuilding to the west. There is an extant permission for a replacement dwelling and garage on the site under application reference 18/00806/FUL, whilst previously following the grant of a certificate of lawfulness for the use of part of the outbuilding as a single dwellinghouse an application for 2 dwellings on the site was granted permission, albeit this has since lapsed.
- 2.3 There is hedging to the roadside to the northern boundary and fronting the roads to south and east. There are detached dwellings to the north and northwest of the site and an electricity substation to the immediate west of the site.

3.0 The Proposal

- 3.1 The application seeks planning permission for the demolition of the existing house and garage and the construction of a two storey house with an integrated garage with roof terrace over. Hard and soft landscaping alterations are proposed across the site, and the floor levels of the dwelling have been raised in response to flood risk, at a similar height to that of the extant scheme.
- 3.2 The proposal includes a main two storey element to the west, linked to a single storey element with a roof terrace accessed from the first floor of the dwelling. A timber privacy screen would be positioned to the north of the roof terrace. Three parking spaces are shown, one in the garage and two within the frontage.
- 3.3 The proposed dwelling would be contemporary in appearance, with a parapet roof. Materials are shown to be stone cladding to the lower floor void, dark facing brick work to the ground floor and horizontal red cedar louvres to the first floor. Metal windows and doors are proposed and metal entrance gates to pedestrian and vehicular accesses from Stumps Lane.
- 3.4 A further period of consultation was undertaken during the course of the application as amended plans were received to correct the siting of the building as there were discrepancies between plans, to provide updated indicative landscaping details to reduce the amount of hardstanding in response to officer comments, and to provide further bat surveys.

4.0 History

99/01627/DOM	REF	Proposed garage/workshop with en-suite guest room over to replace existing garage.
99/02109/DOM	PER	Demolish existing sub standard garage and erect single storey garage with attached guest accommodation under a pitched roof.
00/00845/DOM	WDN	Proposed detached garage with guest suite over.
00/01297/DOM	PER	Preposed rebuilt garage with guest suite over.
02/03148/PLD	PER	Construct new vehicular access.
07/01809/DOM	REF	Alterations to and use of existing garage as enlarged annexe in connection with Fire Elms
09/02333/ELD	PER	Use of part of outbuilding as a single dwellinghouse.
10/01615/COU	REF	Change of use of garage part of building to residential to combine with lawful dwelling in rear part of building to create enlarged 1 no. one bed dwelling.
10/05678/FUL	REF	Change of use of integral garage to provide additional living accommodation and garden store. (appeal dismissed)
14/02419/FUL	WDN	Demolition of 2 no. dwellings and the construction of 2 no. replacement houses.
14/04280/FUL	REF	Demolition of 2 dwellings and the construction of 2 replacement dwellings.
15/01543/FUL	PER	Demolition of 2 dwellings and the construction of 2 replacement houses.
18/00806/FUL	PER	Replacement dwelling and garage.
18/01017/FUL	PER	Demolition and replacement of 2 no dwellings.
20/01382/PASUR	ADVGIV	Replacement of main dwelling

5.0 Constraints

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

6.0 Representations and Consultations

6.1 Bosham Parish Council

Amended scheme (comments received 16.09.2021)

The revised plans do not take into consideration the major objections lodged against the previous plans and therefore our objection remains.

Original scheme (comments received 11.03.2021)

Bosham Parish Council consider the design of the proposed house is out of character with its neighbours and the village as a whole. By taking in the footprint of the single storey garage and adding a second storey with a balcony above, the proposal is excessive in its length and overbearing by way of its bulk and mass to its neighbours to the north. The proposed very large balcony will be intrusive to neighbours whose gardens will be directly overlooked. The wide entrance steps with the over-large lettering above the door gives the appearance of a commercial building and is out of step with its position on the very edge of the settlement boundary overlooking the open fields of the AONB.

6.2 Environment Agency (summarised)

Amended scheme (comments received 08.09.2021)

We have reviewed the additional information that has been submitted and have no further comments to make. Our previous response dated 22 February 2021 still stands

Original scheme (comments received 22.02.2021)

No objection raised. Conditions requested to ensure development is carried out in accordance with FRA, with finished floor levels set no lower than 4.4m above Ordnance Datum (AOD), and flood resilient design shall be implemented up to 5m AOD.

6.3 Natural England (summarised)

Amended scheme (duplicate comments received 22.09.2021 and 27.09.2021)

The advice provided in our previous response applies equally to this amendment.

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

Original scheme (comments received 26.02.2021)

The proposed amendments to the original application are unlikely to have significantly different impacts on any statutorily protected sites than the original proposal.

6.4 Chichester Harbour Conservancy

Amended scheme (comments received 12.10.2021)

Recommendation – That Conservancy Officers observe that the amended proposals would seem counter intuitive to the views expressed by third parties in that they would place the replacement house closer to the common northern boundary and thereby marginalise the opportunities for tree planting there to help mitigate visual impact to that neighbour.

The Conservancy's Planning Committee did not object to the originally submitted scheme in its comments dated 4 March 2021.

Whilst writing, the views on-line, expressed by a third party are erroneous in that they claim the Conservancy objected to the application.

The only changes observed to the scheme is that the building footprint appears to have moved north by about 1 metre.

Whereas the applicant has had a pre-application consultation with Conservancy since 4 March 2021, it was understood that the building footprint might have been adjusted in the opposite direction.

It has also been noted that a third party has claimed that not all of the site is within the applicant's ownership.

Conservancy Officers are only interested in this matter if it would prevent the delivery of tree planting to provide an appropriate landscaped setting for the replacement dwelling. No doubt Council Officers will look into this issue.

It is very difficult to spot any changes in the design and access statement, where a one page letter from the architect may have sufficed. To my mind, no explanation is given for why the footprint of the replacement dwelling has moved north.

In pure visual terms, the Conservancy has previously set out its support for the design approach taken to developing this awkwardly shaped site, but will leave matters of neighbour amenity for the local planning authority to assess and determine.

Original scheme (comments received 04.03.2021)

No objection, subject to the following suggested planning conditions:-

- suitable external hard surfacing, facing and roofing materials being agreed;
- permitted development rights relating to further extensions, outbuildings or roof alterations be removed;
- that demolition of all existing buildings and their removal from the site, unless to be recycled and this agreed in writing with the local planning authority to occur;
- that the existing hedge on the southern boundary to be safeguarded during construction and retained as part of the submitted landscape design;
- specified planting within the design and access statement, including the planting of nine trees to heavy nursery standard, to be fully implemented prior to first occupation of the dwelling;
- any new soft planting that fails, becomes diseased or is removed within 5 years of it being initially planted shall be replaced with similar species in the next planting season; and,
- investigate/record/archive site archaeology, and
- ensure the delivery of sustainable construction measures to comply with local plan policy 40.”

6.5 WSCC Highways (summarised)

Comments received 20.09.2021

The proposed replacement dwelling will utilise the existing eastern access currently serving the existing dwellings. The western access will be retained but will serve as pedestrian access only. Local and WSCC mapping indicates that vehicular visibility at the access appears sufficient for the road speeds and splays are maintainable wholly within the highway boundary.

An inspection of data supplied to WSCC by Sussex Police over a period of the last five years reveals that there have been no recorded injury accidents within the vicinity of the site; therefore there is no evidence to suggest that the existing accesses are operating unsafely.

The WSCC car parking demand calculator expects that a minimum of 3 parking spaces will be required for the proposed dwelling in this location. The revised plans indicate a double integral garage and an external parking area. From inspection of the plans, the garage does not meet the minimum internal dimensions of 6 x 6m per double garage as set out in Manual for Streets (MfS) and therefore cannot be counted towards parking provision as a double garage. However, the garage does provide sufficient depth and width for one vehicle to park. The applicant is requested to modify the plans to demonstrate a double garage of sufficient space to provide parking for two vehicles.

The LHA note that the garage has been set back from its previous position to provide 4.9 - 5.1m depth on the hardstanding to the front of the garage. However, whilst a vehicle could park in front of the garage, this does not allow sufficient space for the garage door to be operated – the applicant is advised that the provision of a roller door for the garage would overcome this issue.

Comments received 04.03.2021

The proposed replacement dwelling will utilise the existing eastern access currently serving the existing dwellings. The western access will be retained but will serve as pedestrian access only. Local and WSCC mapping indicates that vehicular visibility at the access appears sufficient for the road speeds and splays are maintainable wholly within the highway boundary.

An inspection of data supplied to WSCC by Sussex Police over a period of the last five years reveals that there have been no recorded injury accidents within the vicinity of the site; therefore there is no evidence to suggest that the existing accesses are operating unsafely.

The WSCC car parking demand calculator expects that a minimum of 3 parking spaces will be required for the proposed dwelling in this location. The proposed plans indicate that 2 parking spaces will be provided for the proposed dwelling within an integral garage. The plans indicate that this garage does not meet the minimum internal dimensions of 3 x 6m per garage space as set out in Manual for Streets (MfS) and therefore cannot be counted towards parking provision for the development. As the only two parking spaces provided for the dwelling, the applicant is advised to increase the internal dimensions of the proposed garage to 6 x 6m. In accordance with WSCC parking guidance, a double garage of 6 x 6m would provide one parking space for the development; as the guidance considers a single garage space to count as 0.5 parking spaces.

However, as the proposed garage will provide the only on-site parking for the dwelling it is considered that both of these spaces would be utilised for parking and therefore the LHA would not think it unreasonable to anticipate that should the garage space be increased in line with Manual for Streets standards, the double garage could be counted as 2 spaces.

The applicant should also consider providing a third parking space on site to ensure that the future parking demands of the dwelling are met. Details of parking, including the garage dimensions, can be secured via condition.

A turn on site would also be preferable to enable vehicles to exit the site in a forward gear although it is appreciated that this may not be possible given the site constraints.

The applicant has not indicated cycle storage for the proposed dwelling, the LHA anticipates that this could be accommodated within the proposed storage area. Details of this can be secured via condition.

In the interests of sustainability and as result of the Government's 'Road to Zero' strategy for at least 50% of new car sales to be ultra-low emission by 2030, electric vehicle (EV) charging points should be provided for all new homes. Active EV charging points should be provided for the development in accordance with current EV sales rates within West Sussex (Appendix B of WSCC Guidance on Parking at New Developments) and Chichester Local Plan policy. Ducting should be provided to all remaining parking spaces to provide 'passive' provision for these to be upgraded in future. Details of this can be secured via condition.

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

Conditions recommended in respect of car parking spaces, cycle parking, and electric vehicle charging spaces.

6.6 CDC Coast Protection & Land Drainage Officer (summarised)

Comments received 17.09.2021

We have no comments to make in addition to those which we made on the 9th March 2021.

Comments received 09.03.2021

Flood Risk: The proposed dwelling is in flood zone 3 (high risk), and we are aware of the existing property flooding on numerous occasions in the past. The proposal is for a replacement dwelling, with the habitable floor level raised to 4.5m AOD, which matches, or exceeds the requirements of the EA. Because the proposal is a replacement dwelling, and reduces the flood risk to the property, we have no objection to the proposed use, scale or location on flood risk grounds.

We have seen the suggested condition from the EA regarding floor levels and flood proofing, which we support the need for.

Surface Water Drainage: The application form selects "sustainable drainage system" for surface water drainage. This approach is acceptable in principle, wherever possible, driveways, parking spaces, paths and patios should be of permeable construction. Due to the scale of the proposed development (single dwelling / very similar footprint to existing) we have no conditions to request. Surface water drainage should be designed and constructed to meet building regulations.

6.7 CDC Environmental Protection

Comments received 15.09.2021

Bats:

As stated within the Bat Activity Survey Report (August 2021), the surveyed building is in use as a day roost for common pipistrelle. In addition to this, common pipistrelle and soprano pipistrelle bats were identified foraging and commuting around the site. Following submission of Bat Activity Survey Report (August 2021), 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.

We require that a bat brick is integrated into the building onsite facing south/south westerly positioned 3-5m above ground.

Policy 40:

Due to the requirements within Local Plan Policy 40: Sustainable Construction and Design, we require that a sustainability statement is submitted for this proposal. The statement will need to demonstrate how the requirements of policy 40 will be met. This includes how the site will;

- Protect and enhance the environment
- Achieve a maximum consumption of 110l of water per day per person
- Complies with building for life standards or equivalent replacement
- Sustainable design including the use of re-used or recycled materials
- Minimise energy consumption through renewable resources
- Adapt to climate change
- Historic and built environment protected and enhanced
- Improvements to biodiversity and green infrastructure
- Maintain tranquillity and local character
- Provision of electric vehicle charging points

Comments received 24.02.2021

Further comments are provided in relation to the above planning application after the receipt of the ecological appraisal of the site.

Bats

In accordance with the conclusions of the ecological appraisal, a further bat emergence/re-entry survey is required before determination of this application.

Reptiles

Habitats on-site, in particular the grassland/lawn, should be maintained and closely mown to prevent reptiles migrating on to the site.

Birds

It is recommended that trees and hedgerows be retained. Any scrub or tree removal should be implemented outside the breeding bird season (March-September) or immediately after a nesting bird check by a suitably qualified ecologist. If active nests are identified, works in the vicinity of the nest must cease until the birds have fledged the nest. Buildings should be surveyed prior to demolition to ensure no birds are nesting internally at the time.

Enhancements

To be provided in accordance with the report, including bird boxes and log piles.

Comments received 17.02.2021

Due to the proposed demolition of two structures and the construction of new structures which are not within the same footprint of the existing structures, the location of the site and its proximity to bat and water vole commuting networks, we will need an assessment of the ecological impact of the proposals on protected species such as bats, reptiles and water voles. Should this initial survey recommend further surveys, such as Bat Emergence/Re-entry surveys, these will need to be undertaken prior to determination of the application.

6.8 Third party objection comments

Amended scheme consultation period

Four third party representations raising objections have been received concerning the following matters:

- a) The proposal would appear overbearing to neighbouring properties with a significant increase in massing along the northern boundary of the site.
- b) Moving the footprint north would increase the impact to neighbouring properties
- c) The proposed parapet height is higher than the eaves of neighbouring properties
- d) The proposal would be out of keeping with adjacent properties
- e) The contextual images do not accurately show the relationship with neighbouring properties, as they show a wall of planting which does not exist.
- f) The site is smaller than on some of the submitted plans as the area to the east does not belong to Five Elms.
- g) The corrected site area would result in a small amenity space
- h) The design would appear dominant, incongruous and impact on the character of the AONB in a prominent location
- i) The footprint of the proposal would provide less opportunity for water to soak away
- j) Questioning how the front hedge would be retained and how construction vehicles would park

Original scheme consultation period

10 third party representations raising objections have been received concerning the following matters:

- a) The size, height and length of the proposed dwelling
- b) The site is smaller than on some of the submitted plans as the area to the east does not belong to Five Elms.
- c) The design would appear dominant, incongruous and impact on the character of the AONB in a prominent location
- d) The scale and flat roof form would be out of character with existing Bosham houses
- e) The proposal would be out of keeping with adjacent properties
- f) The proposal would result in overlooking to neighbouring properties
- g) The proposal would appear overbearing to neighbouring properties with a significant increase in massing along the northern boundary of the site.
- h) The proposal would result in loss of light to neighbouring properties.
- i) The proposal would be an overdevelopment of the site.
- j) Noise from the use of the balcony area
- k) The footprint of the proposal would provide less opportunity for water to soak away
- l) Flood risk
- m) Questioning whether the future use of the building would be commercial

6.9 Agent's Supporting Information

The application is accompanied by a number of reports which address the following matters: Design and Access Statement, Flood Risk Assessment, Bat Activity Survey and Report, Preliminary Ecological Appraisal, and a Planning Statement.

7.0 Planning Policy

The Development Plan

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

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

Chichester Local Plan

Policy 1: Presumption in Favour of Sustainable Development
Policy 2: Development Strategy and Settlement Hierarchy
Policy 4: Housing Provision
Policy 5: Parish Housing Sites 2012- 2029
Policy 8: Transport and Accessibility
Policy 30: Built Tourist and Leisure Development
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
Policy 48: Natural Environment
Policy 49: Biodiversity

Bosham Neighbourhood Plan

Policy 1: The settlement boundary
Policy 2: Criteria for housing development
Policy 6: Landscape and the Environment
Policy 7: Ecology, wildlife and biodiversity
Policy 8: Flooding and Drainage

Chichester Local Plan Review Preferred Approach 2016 - 2035 (December 2018)

- 7.3 Work on the review of the adopted Local Plan to consider the development needs of the Chichester Plan Area through to 2036 is now well underway. Consultation on a Preferred Approach Local Plan has taken place and following detailed consideration of all responses to the consultation, it is intended that the Council will publish a Submission Local Plan under Regulation 19 in March 2022. Following consultation, the Submission Local Plan will be submitted to the Secretary of State for independent examination. In accordance with the Local Development Scheme, it is anticipated that the new Plan will be adopted by the Council in 2023. However, at this stage, it is considered that very limited weight can be attached to the policies contained within the Local Plan Review.

National Policy and Guidance

- 7.4 Government planning policy now comprises the revised National Planning Policy Framework (NPPF 2021), which took effect from 20 July 2021 and related policy guidance in the NPPG.

7.5 Paragraph 11 of the revised Framework states that plans and decisions should apply a presumption in favour of sustainable development, and 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-date, granting permission unless:

i. the application of policies in this Framework that protect areas of 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.

7.6 The following sections of the revised NPPF are relevant to this application: 2, 4, 5, 9, 11, 12, 14, 15, and Annex 1. The relevant paragraphs of the National Planning Practice Guidance have also been taken into account.

Other Local Policy and Guidance

7.7 The following documents are also material to the determination of this planning application:

- Chichester Harbour AONB Joint SPD (May 2017)
- CHC Chichester Harbour AONB Management Plan (2014-2029)
- The Chichester Harbour Planning Principles (Management Plan version April 2019)
- Surface Water and Foul Drainage Supplementary Planning Document (SPD)
- Bosham Village Design Statement

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 issues arising from this application are considered to be:

- i. Principle of development
- ii. Design and impact on the character of the area and character of the Area of Outstanding Natural Beauty
- iii. Residential amenity
- iv. Highway impact
- v. Ecological considerations
- vi. Sustainable design and construction
- vii. Flood Risk
- viii. Surface water drainage and foul disposal
- ix. Other matters

i. Principle of development

- 8.2 The application site is located within the defined settlement boundary of Bosham as set out in Policy 2 of the Local Plan Key Policies. The planning history is a material consideration and the application site benefits from an extant permission for a replacement dwelling and garage under permission reference 18/00806/FUL. At the time of the submission of the current application, permission reference 18/01017/FUL for the demolition and replacement of 2 no dwellings was also extant, however this has subsequently lapsed.
- 8.3 As the proposal would replace an existing residential dwelling the principle of the proposal is considered acceptable and complies with policy.

ii. Design and impact on the character of the area and character of the Area of Outstanding Natural Beauty

- 8.4 The application site is located in a prominent position at the corner of Stumps Lane and Taylors Lane. The site is located on the edge of the Settlement Boundary of Bosham and within the Chichester Harbour Area of Outstanding Natural Beauty (AONB). Given the edge-of-settlement location and topography of the area, the site is in a prominent location where there is a clear transition from the built form of the settlement to the open countryside.
- 8.5 Policy 33 of the Chichester Local Plan (CLP) and Policies 1 and 6 of the Bosham Neighbourhood Plan establishes that new residential development proposals must meet the highest standards of design and respects and/or enhances the character of the site and surrounding area, taking into consideration its proportions, form, massing, siting, layout, height, scale and overall design. Policy 43 of the CLP further establishes that within the Chichester Harbour AONB, development should reinforce and respond to (and not detract from) the natural beauty, distinctive character and special qualities of the AONB.
- 8.6 The existing dwelling is of a traditional design, with a main 2 storey rectangular hipped roof element flanked by a single storey chalet bungalow style addition to its southern elevation. The building is orientated from south to north which reduces its perceived bulk and mass when viewed from the highway and is constructed with traditional materials that reflect the local vernacular of both rural and settlement buildings, including; clay roof tiles clay hanging tiles and painted brickwork.
- 8.7 The site lies within 'Character Area D' (rest of Bosham) as outlined within the Bosham Village Design Statement (VDS) (which also informs the Bosham Neighbourhood Plan). Taylors Lane is described within the VDS as having 'a number of large slate roof houses, whitewashed and set well back from the road.' Stumps End is referred to as 'another coherent development as a self-contained housing estate with a 1970 "executive home" feel. Half hipped and hipped flat tiled roofs sit on mellow brick houses and bungalows.'
- 8.8 The planning history is material consideration in the determination of an application. Planning permission reference 18/00806/FUL was granted for a replacement dwelling and garage on 15th March 2019 and this remains extant and therefore could still be implemented.

- 8.9 The extant permission is for a replacement house to be re-orientated from its present situation to be located along the western boundary, with its main amenity space to the north and with the principal elevation fronting onto Stumps Lane (to the south). The extant scheme introduced a contemporary design with the use of flat roof and ground floor angular additions. The proposals involved the raising of the ground floor to 4.4m above ordnance datum (AOD), which would be 2.0m higher than Stumps Lane. A raised landscaped bank would be located in front of the ground floor elevation and balcony additions are proposed to the north east corner of the property. In addition the garage would be replaced with a timber clad garage positioned at 3.5m AOD and in a similar position to the existing garage.
- 8.10 The extant permission carries significant weight in the determination of the current application as it establishes the principle of a contemporary replacement dwelling and changes in floor levels in this prominent location.
- 8.11 The current application is similar to the extant permission, proposing a two storey contemporary dwelling, with the use of a flat roof and angular elements, and raised floor levels. The extant permission showed the ground floor at 4.4m AOD, the first floor at 7.3m AOD, a roof terrace at 7.3m AOD and the flat roof at 10.3m AOD. The current proposal is of a similar overall height, proposing the ground floor at 4.5m AOD, the first floor at 7.2m AOD, a roof terrace at 7.2m AOD and the flat roof at 10.35m AOD.
- 8.12 The footprint of the main dwelling and its siting would extend further to the east than the extant scheme, which would increase the massing of the main dwelling. The Chichester Harbour Area of Outstanding Natural Beauty Joint Supplementary Planning Document Calculations advises that for replacement dwelling there should be no more than a 50% increase above the original footprint, or a 25% increase above the existing 'silhouette'. The application has been submitted with details demonstrating that the proposed footprint would be an increase of 0.5% over the existing dwelling, and 20% less than the extant scheme. In terms of south and west elevations, which are those which would be readily visible within the wider landscape, the south elevation would be 25% greater than the existing dwelling, and the same as the extant scheme, and the east 8% less than the existing and 4% less than the extant scheme. Officers acknowledge that as the current proposal would not have an outbuilding, and this accounts for some of the increases to the main element would not appear as increases to the overall footprint or silhouette. The result is that the main dwelling would have a much wider silhouette than that of the extant scheme and it is more prominent in the landscape than the extant scheme. To the north the site adjoins other residential properties so there would not be an adverse impact on wider public views. There is an electricity substation to the immediate west of the site and the proposed dwelling would be visible beyond this within the street scene, but wider views from the west would be softened by existing trees.

- 8.13 Notwithstanding the increased silhouette, the set down roof terrace element and angled design assists with breaking up the massing of the dwelling. The proposed materials of stone cladding to the lower floor void, dark facing brick work to the ground floor and horizontal red cedar louvres to the first floor would appear muted. The amount of glazing, whilst increased over that of the extant scheme, is considered to be appropriate and proportionate to the dwelling. Third party comments have referenced the name plate above the door which is shown in the Design and Access Statement, and officers raised concerns with the visual impact of this during the course of the application. The agent has confirmed that this no longer forms a part of the proposal and it has been removed from the elevations.
- 8.14 Whilst the use of flat roof would deviate from the half hipped roofs and mellow brick houses at Stumps End to the immediate west and north of the site, this is a 'self-contained housing estate' and it is not considered essential to replicate given that the application site addresses Stumps Lane and Taylors Lane, and there is an extant permission which is of a similar form to the current proposal.
- 8.15 It is considered that the proposed dwelling would not appear dominant in the landscape and would complement the special character of the AONB within which it sits. Conditions to secure a detailed levels plan and schedule of materials will be imposed to ensure the combined landscaping bank and chosen materials enable the development to relate sympathetically to the character and appearance of the area.
- 8.16 As a result the proposed development is considered to comply with Policies 33, 43 and 48 of the Chichester Local Plan, Policies 1 and 6 of the Bosham Neighbourhood Plan and the NPPF.

iii. Residential Amenity

- 8.17 The NPPF states in paragraph 130 that planning should ensure a high standard of amenity for all existing and future users of land and buildings, and Policy 33 of the CLP includes requirements to protect the amenities of neighbouring properties. The extant permission is also a material consideration that is of significant weight in the consideration of the impact on neighbouring amenity.
- 8.18 Concerns have been raised regarding overlooking and overbearing impacts as a result of the scale, design and siting of the proposed dwelling. In terms of the dwelling appearing overbearing, the revised orientation of the dwelling compared to the existing dwelling would result in the dwelling being set further away from the side elevation of the closest neighbouring property at 9 Stumps End. There would be a significant increase in massing compared to the existing dwelling, and the extant permission, however this increased massing extends in an approximate south east direction, broadly following the boundary line, whereas the neighbouring dwelling at number 9 Stumps End is orientated to the east. The closest distance of the two storey elements between the two properties would be approximately 11m. Given the extant permission which also raised the floor levels a similar amount to the current proposal, the step down to the roof terrace garage element to break up the massing, and the layout and orientation, this arrangement is considered to be acceptable and not result in a significant detrimental impact in this regard. There is further separation to the property to the north east (Byways) with a separation of approximately 50m from the rear conservatory of Byways to the proposed dwelling.

- 8.19 With regards to overlooking, further revised plans have been submitted at the request of officers. These show the ground floor windows in the northern elevation which serve a hallway to be obscure glazed and the first floor study window proposed has been raised so that the cill level would be more 1.7m above the finished floor level. One other north facing window is serving a lift and this is also shown with a cill level at 1.7m. The extant permission withdrew permitted development rights for the insertion of windows in the northern elevation and it is considered that this would also be necessary if the current scheme was permitted to protect neighbours amenity.
- 8.20 Concerns have been raised by neighbouring properties with regards to potential overlooking from the roof terrace. A roof terrace was proposed as part of the extant scheme, although the currently proposed roof terrace is larger. A screen is proposed which would obscure views to the north from the balcony, and subject to a condition to secure this there would be no resultant views from the proposal that would be harmful to neighbouring privacy to the north.
- 8.21 There are large glazed areas to the west and a third party comment has raised concerns about overlooking towards the dwelling at 1 Stumps Lane. There is a distance of approximately 32m from the boundary of the site to the boundary of the dwelling at no.1 Stumps Lane and this separation is considered to be sufficient to ensure that the proposal would not be unneighbourly.
- 8.22 Details of land level changes and landscaping would be fully secured by condition and on balance the proposal is therefore deemed to be in accordance with Policy 33 of the CLP and paragraph 130 of the NPPF in terms of impacts upon residential amenity.

iv. Highway Impact

- 8.23 The application site is currently served by two vehicular accesses from the unclassified Stumps Lane to the south of the site. The application proposes that the western access is retained as a pedestrian access and the eastern access is widened to serve the proposed dwelling. The Highways Authority at WSCC has been consulted and no objections have been received regarding access and visibility.
- 8.24 With regard to parking, the WSCC car parking demand calculator expects that a minimum of 3 parking spaces will be required for the proposed dwelling in this location. Further revised plans have been submitted following the second consultation period which shows one parking space within the garage, one in front of the garage and another on the driveway. The LHA have advised that whilst a vehicle could park in front of the garage, this does not allow sufficient space for the garage door to be operated, and advised that the provision of a roller door for the garage would overcome this issue. The agent has confirmed that a roller door would be used and this can be secured by condition, along with EV charging and cycle storage within the garage.
- 8.25 Subject to conditions the proposals are considered acceptable in terms of highways matters.

v. Ecological considerations

8.26 The application has been accompanied by a preliminary ecological appraisal as the proposal requires the demolition of the existing buildings. The Council's Environment Officer has assessed this document and has stated that the mitigation measures mentioned within the submitted appraisal are acceptable to ensuring no significant harm comes to reptiles and birds subject to conditions to secure this.

8.27 The preliminary ecological appraisal proposes the following enhancements:

- Shrub species can be planted along boundaries or in communal areas post development.
- Wildflower seed mixes
- Log and brush piles under hedgerows Log and brush piles should be created under hedgerows to provide refugia and hibernacula for amphibians, reptiles, small mammals and invertebrates.
- Bird boxes

8.28 Further bat surveys were requested during the course of the application. This identified that the surveyed building is in use as a day roost for common pipistrelle. In addition to this, common pipistrelle and soprano pipistrelle bats were identified foraging and commuting around the site. The submitted Bat Activity Survey Report (August 2021) sets out the following mitigation measures:

- works are recommended to take place outside of peak bat activity periods, as well as avoiding peak hibernation periods.
- A licenced ecologist is required to undertake soft demolition by accompanying building contractors in inspecting the structure by hand
- The installation of a bat box to allow any bats found to be translocated to this feature
- The installation of an bat box on the western elevation

8.29 These have been reviewed by the Council's Environment Officer who is satisfied that the mitigation proposed would be suitable. Subject to all of the above being secured by condition along with controlling lighting, the proposal is considered to comply with Policy 49 of the CLP.

vi. Sustainable Design and Construction

8.30 Policy 40 of the CLP concerns Sustainable Design and Construction and required that details are provided by the developer to demonstrate that the criteria have been considered.

8.31 The application and supporting information details that the proposals include:

- measures to adapt to climate change through the flood resilience measures;
- ecological enhancements as identified in the Preliminary Ecological Appraisal;
- mitigation and enhancements as identified in the Bat Activity Survey Report; and
- the provision of a green roof

8.32 In addition to the above the agent has advised that they intend to:

- Provide electric vehicle charging points in line with WSCC parking standards;
- Provide cycle storage; and
- Achieve a maximum consumption of 110l of water per day per person

8.33 It is considered that the proposals would meet the requirements of Policy 40 and these can be secured through condition.

vii. Flood Risk

8.34 The site is located within Flood Zones 1, 2 and 3. The extant permission was granted with Finished Floor Levels (FFL) set no lower than 4.4m above Ordnance Datum (AOD) and Tanking up to 5m AOD. The site has existing levels varying between 2.20 - 2.60m AOD.

8.35 The submitted Flood Risk Assessment proposes that the new dwelling would be constructed with its ground floor level at 4.5m AOD, with flood proofing integrated up to 5m AOD, based on flood levels provided by the Environment Agency. Flood resistant and resilience measures detailed in the submitted Flood Risk Assessment are:

- demountable or automatic flood gates to mobilise at times of flooding that provide a seal against floodwater ingress at all external entry/exits on ground floor level;
- tanking of walls up to 5.0m;
- construction materials with low permeability;
- solid concrete floors with ceramic or concrete based floor tiles, marbles or stone;
- solid walls with cement render or tiles up to flood level;
- an internal/external water resistant(cement) plaster/render with lime content;
- flood resilient, water tight, sealable doors/windows (e.g. treated wood, UPVC, metal);
- all fittings, fixtures, services elevated sufficiently above the floor level;
- Install non-return valves in drainage pipes to prevent sewage backing up into the house, etc.

8.36 The Environment Agency has been consulted on the application and no objection has been raised subject to a condition to secure development is carried out in accordance with FRA, with finished floor levels set no lower than 4.4m above Ordnance Datum (AOD), and flood resilient design shall be implemented up to 5m AOD. The Council's Drainage Engineer has commented that they have no objection to the proposed use, scale or location on flood risk grounds. On this basis and subject to compliance with the appropriate conditions set out by the Environment Agency, the proposal accords with policy in respect of flood risk

viii. Surface Water Drainage and Foul Disposal

- 8.37 With regard to surface water drainage; the submitted application form selects "sustainable drainage system" for surface water drainage. The Council's Drainage Engineer has confirmed that this approach is acceptable in principle. On the current proposal, the Council's Drainage Engineer has commented that that wherever possible, driveways, parking spaces, paths and patios should be of permeable construction.
- 8.38 Comments have been received raising concerns that the amount of development would result in flooding elsewhere. The submitted Flood Risk Assessment advises that the proposal would utilise SuDS (Sustainable Drainage Systems) in the form of a green roof and permeable surfaces to reduce runoff compared to the existing situation. Therefore surface water runoff and associated flood risk would reduce as a result of the proposals. Officers consider it necessary to secure these details through the use of a condition. Foul water drainage is to be provided by the existing mains sewer.
- 8.39 The proposals are considered to be acceptable in this regard subject to securing details by condition.

ix. Other Matters

- 8.40 It has been identified that some plans and supporting documents showed a red line of the application site which included land to the east of the site which was not in the application site as identified on the submitted location plan and is not within the ownership of the applicant. During the course of the application officers have requested and received amended plans to ensure that any plans which showed a red line of the application site on them accurately reflected those on the submitted location plan. Although the Design and Access Statement does show a red line and landscaping proposals which do not correspond with the submitted location plan, this does not prevent proceeding with the determination of the application as the details shown are indicative and if permitted full details of landscaping would be secured by way of planning condition. Any intentions for the use of this land outside of the application site and would be a separate matter outside of the scope of this planning application.
- 8.41 Third party comments have queried the future use of the site, citing a commercial appearance and layout of the property. This application is for the propose building to be used as a single C3 dwellinghouse, and any applications for alternative uses would be assessed on their own merits.

Conclusion

- 8.42 Based on the above it is considered the principle of a replacement dwelling would be acceptable, and the scale and form of the proposal is acceptable in terms of the character of the area and impact to neighbouring amenity. Furthermore, the proposal would provide ecological enhancements, incorporate sustainable design construction measures and suitable mitigation would be secured to ensure flood risk is addressed. There is no conflict with the NPPF, the proposal complies with development plan policies, and there are no material considerations that would justify refusing the application. Therefore the application is recommended for approval.

Human Rights

8.43 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 not be carried out other than in accordance with the following approved plans:

Reason: For the avoidance of doubt and in the interests of proper planning and to ensure the development complies with the planning permission.

3) No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) the parking of vehicles of site operatives and visitors;
- (ii) loading and unloading of plant and materials;
- (iii) storage of plant and materials used in constructing the development;
- (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (v) wheel washing facilities;
- (vi) measures to control the emission of dust and dirt during construction;
- (vii) turning on site of vehicles;
- (viii) the location of any site huts/cabins/offices.

Reason: To ensure safe and neighbourly construction.

4) No development shall commence until details of the proposed overall site wide surface water drainage scheme has 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 as set out in Approved Document H of the Building Regulations and the SUDS Manual produced by CIRIA. Winter ground water monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. The surface water drainage scheme shall be implemented as approved unless any variation is agreed in writing by the Local Planning Authority. No building shall be occupied until the complete surface water drainage system serving that property has been implemented in accordance with the approved surface water drainage scheme.

Reason: The details are required pre-commencement to ensure that the proposed development is satisfactorily drained with all necessary infrastructure installed during the groundworks phase.

5) 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.

6) No development shall commence 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 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 hard surfaces 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.

7) The implementation of this planning permission shall be carried out strictly in accordance with the method of works, mitigation measures, and ecological enhancements detailed in the submitted Preliminary Ecological Appraisal produced by The Ecology Partnership dated June 2018 and the Bat Activity Survey Report produced by Elite Ecology dated August 2021. Full details of the enhancements and a timetable for the implementation shall be submitted to and agreed in writing by the Local Planning Authority before works commence, and shall be implemented and retained in accordance with the agreed details. For the avoidance of doubt details of the mitigation measures and ecological enhancements shall include:

- Shrub species can be planted along boundaries or in communal areas post development.
- Wildflower seed mixes
- Log and brush piles under hedgerows Log and brush piles should be created under hedgerows to provide refugia and hibernacula for amphibians, reptiles, small mammals and invertebrates.
- Bird boxes
- The installation of a bat box to allow any bats found to be translocated to this feature
- The installation of a bat box on the western elevation
- The provision of a green roof

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 and in the interest of conserving and enhancing biodiversity.

8) Notwithstanding any details submitted no development/works shall commence above slab level until a full schedule of all materials and finishes and samples of such materials and finishes to be used for external walls, roofs (including any capping, fascias and other details for the connection with walls), balcony balustrades, access ramps and hard surfacing areas 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

9) Notwithstanding the details submitted, prior to installation of any external windows and doors details of the proposed windows and doors, including the proposed material, colour and finish, shall be submitted and approved in writing by the Local Planning Authority. Thereafter the development shall not be carried out other than in accordance with the approved details, and the windows and doors shall be maintained as approved in perpetuity.

Reason: In the interests of ensuring a high quality design that is sensitive to the character and appearance of the locality.

10) Notwithstanding the details submitted, prior to installation of the garage door, full details, including the opening mechanism, proposed material, colour and finish, shall be submitted and approved in writing by the Local Planning Authority. Thereafter the development shall not be carried out other than in accordance with the approved details, and the garage door shall be maintained as approved in perpetuity.

Reason: In the interests of highway safety and ensuring a high quality design that is sensitive to the character and appearance of the locality.

11) Prior to the occupation of the dwelling hereby permitted, the existing outbuilding to the east of the site shall cease to be occupied, and within three months of that day, the outbuilding shall be demolished, the resultant materials cleared from the site and the land reinstated in accordance with the agreed landscaping details.

Reason: In order to secure the removal of the existing dwelling, to accord with the terms of the application, and in order to protect the character of the area.

12) Before first use of the balcony hereby approved, details of a privacy screen to serve the balcony shall be submitted and approved in writing by the Local Planning Authority, and the balcony shall not be brought into use until the privacy screen has been erected in complete accordance with the approved details. Thereafter the privacy screen shall be maintained as approved in perpetuity.

Reason: In order to reduce the additional overlooking to an acceptable level.

13) No part of the development shall be first occupied until the car parking has been constructed in accordance with plans and details to be submitted to and approved by the Local Planning Authority. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use.

14) 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. Thereafter the cycle parking spaces shall be retained for that purpose, indefinitely and unless otherwise agreed in writing by the Local Planning Authority.

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

15) No part of the development hereby permitted shall be first occupied until a minimum of one Electric Vehicle (EV) charging points have been provided in accordance with details to be submitted to and approved by the Local Planning Authority. Thereafter the Electric Vehicle Charging point shall be retained for that purpose, indefinitely and unless otherwise agreed in writing by the Local Planning Authority

Reason: To provide alternative sustainable travel options in accordance with local and national initiative to reduce carbon emission and current sustainable transport policies.

16) No part of the development hereby permitted shall be occupied until refuse and recycling storage facilities have been provided in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter the refuse and recycling storage facilities shall be maintained as approved and kept available for their approved purposes in perpetuity.

Reason: To ensure the adequate provision of onsite facilities in the interests of general amenity and encouraging sustainable management of waste.

17) The development shall be carried out in accordance with the submitted Flood Risk assessment (December 2020 [Issue 2]), approved plans reference 400 C, 401 B and 402 B including the following mitigation measures:

- Provision of safe refuge within the ground floor and upper floor levels within a structurally robust and flood resilient design;
- Signing up to EA's Early Flood Warning System.
- Finished floor levels shall be set no lower than 4.5m above Ordnance Datum (AOD).
- Tanking up to 5m above Ordnance Datum (AOD)
- The lower ground floor shall only be used as a garage and store in association with the dwelling and for no other purposes.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

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

18) The construction of the development and associated works 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.

19) The proposed hard surface/s hereby permitted shall either be made of porous materials or provision shall be made to direct run-off water from the hard surface/s 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 avoid discharge of water onto the public highway.

20) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting or amending that Order) no additions to, or extensions or enlargements of, or alterations affecting the external appearance of, the building(s) hereby approved shall be made or erected without a grant of planning permission from the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the enlargements/alterations of the building(s) in the interests of the proper planning and amenities of the area.

21) 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 or structure permitted by Class 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 provide sufficient amenity space.

22) Notwithstanding the provisions of Part 1 Schedule 2 of the Town and Country Planning ((General Permitted Development) (England) Order, 2015 (or any Order revoking, re-enacting or modifying that Order) no window(s), door(s) or other openings shall be inserted into the north elevation of the dwelling hereby permitted without a grant of planning permission.

Reason: In the interests of protecting the amenity of neighbours .

23) Notwithstanding the provisions of Part 2 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking ,re-enacting or modifying that Order) no gates shall be installed to the eastern vehicular access without a grant of planning permission.

Reason: To ensure that adequate parking provision is provided, in the interests of highway safety and to protect the character of the surrounding area.

24) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) no external illumination shall be provided on the site other than in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed location, level of luminance and design of the light including measures proposed to reduce light spill. Thereafter the lighting shall be maintained in accordance with the approved lighting scheme in perpetuity.

Reason: In the interests of protecting wildlife and the character of the area.

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).

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 - PROPOSED GARAGE SITE PLAN	100	C	17.11.2021	Approved
PLAN - PROPOSED GROUND FLOOR PLAN	101	D	17.11.2021	Approved
PLAN - PROPOSED FIRST FLOOR PLAN	102	B	17.11.2021	Approved
PLAN - EXISTING ELEVATIONS	7057/01		21.12.2020	Approved
PLAN - SITE LOCATION PLAN	001	A	17.03.2021	Approved
PLAN - EXISTING SITE PLAN	002	B	17.03.2021	Approved

PLAN - PROPOSED NORTH AND SOUTH ELEVATIONS	200	E	25.11.2021	Approved
PLAN - PROPOSED EAST AND WEST ELEVATIONS	201	C	17.03.2021	Approved
PLAN - PROPOSED SECTION A AND B	301	E	25.11.2021	Approved
PLAN - PROPOSED GARAGE PLAN	400	C	17.11.2021	Approved
PLAN - PROPOSED GROUND PLAN	401	B	17.11.2021	Approved
PLAN - PROPOSED FIRST FLOOR PLAN	402	B	17.11.2021	Approved
PLAN - PROPOSED NORTH AND SOUTH ELEVATIONS	500	C	17.11.2021	Approved
PLAN - PROPOSED EAST AND WEST ELEVATIONS	501	A	17.03.2021	Approved
PLAN - FOOTPRINT COMPARISON	600		17.03.2021	Approved

For further information on this application please contact Martin Mew on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QLKUCKERJZW00>