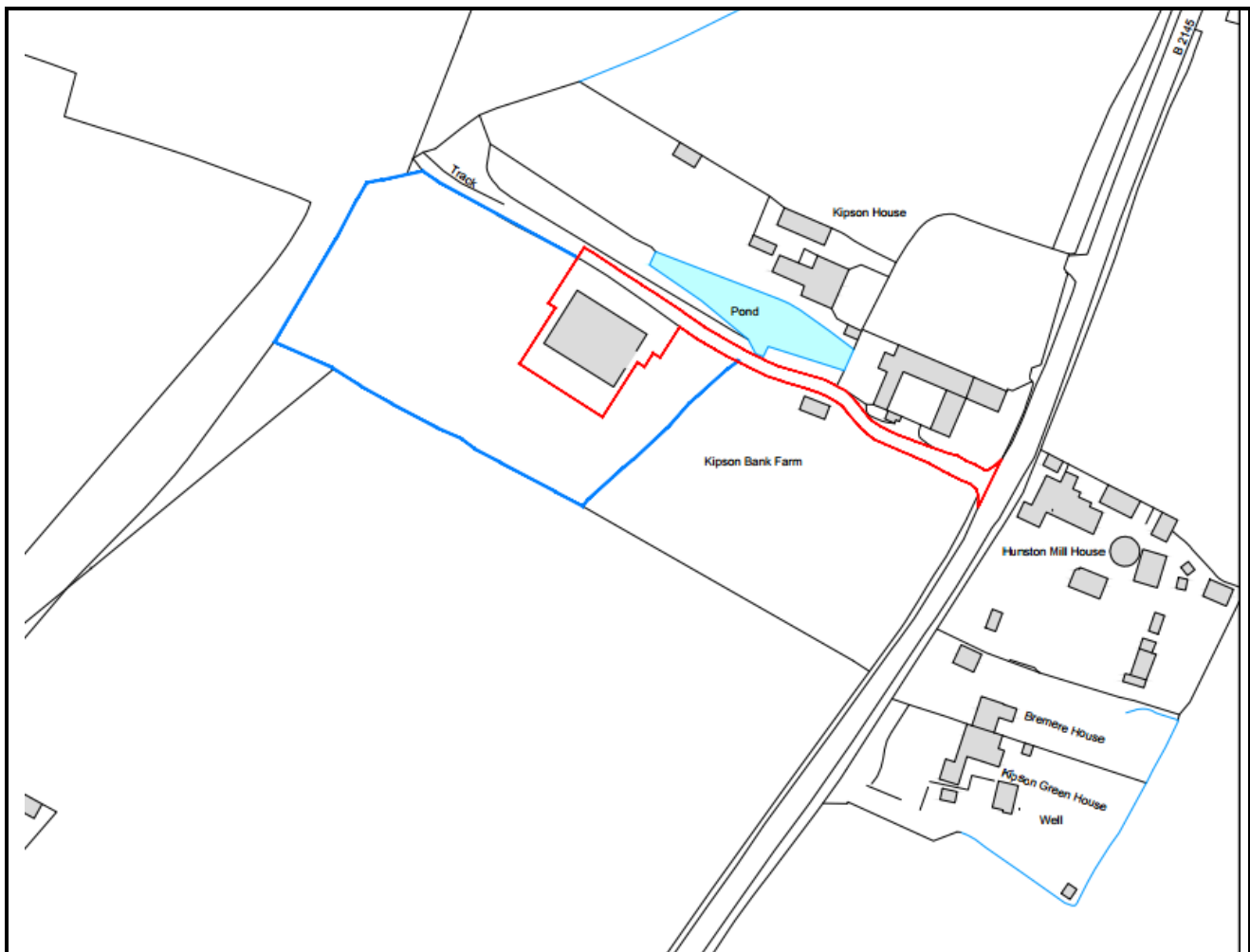



Parish: Hunston	Ward: North Mundham And Tangmere
--------------------	-------------------------------------

HN/23/01377/FUL

Proposal	Demolition of existing grain store and replacement with 2 no. dwellings with package treatment plant.		
Site	Kipson Bank Farm Selsey Road Hunston Chichester West Sussex PO20 1A		
Map Ref	(E) 485746 (N) 100915		
Applicant	Ms Jacintha Carty	Agent	Mrs Lisa Jackson

RECOMMENDATION TO PERMIT WITH S106



	<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>
---	----------------------------	--

1.0 Reason for Committee Referral

1.1 Parish Objection - Officer recommends Permit

2.0 The Site and Surroundings

- 2.1 The application site consist of an existing agricultural building, which is located outside of any designated settlement boundary, within the rural area. The application site is located to the northwest of Selsey Road. The agricultural building is constructed of metal cladding and has an overall height of approximately 7.6m. There is an existing access road to the east of the agricultural dwelling that provides access to the application site. The agricultural barn has been subject to a prior approval application to change the use of the building to 2 no. dwellinghouses under prior approval permission HN/22/02350/PA3Q.
- 2.2 There is a Grade II listed building, Kipson House, to the northeast which is approximately 41m from the agricultural building. There are existing barns to the east of the application site, which has been subject to a separate application under permissions HN/22/02770/FUL and HN/22/02771/LBC to change the use to 1 no. dwellinghouse and garage and workshop.

3.0 The Proposal

- 3.1 The application seeks planning permission for the demolition of the existing grain store and the construction of 2 no. dwellings with a package treatment plant.
- 3.2 The proposed 2 no. detached dwellings would be located at the north west section of the application site and would be served by the existing access. The proposed two storey dwellinghouses would each have a floorspace of approximately 197.1 square metres. The proposed dwellings would have an overall ridge height of approximately 7.65m. The proposed dwellinghouses would consist of gable roof design with a single storey rear outshot. The boundary treatments for the front and rear gardens would consist of planting/hedging. The parking areas for each dwelling would be located to the front of the development.

4.0 History

22/02350/PA3Q	PER106	Change of use of agricultural building to 2 no. three-bedroom dwellings (C3 Use Class).
22/02770/FUL	PER106	Change use of barns to 1 no. dwelling with open garage and workshop, alongside installation of package treatment plant.
22/02771/LBC	PER	Change use of barns to 1 no. dwelling with open garage and workshop.
22/03211/FUL	WDN	Demolition of existing grain store and replacement with 2 no. dwellings with car ports and a package treatment plant.

5.0 Constraints

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

6.0 Representations and Consultations

6.1 Parish Council

Hunston Parish Council objects to this application for the following reasons.

The proposed dwellings are significantly higher than the existing grain store and by virtue of the increased mass of the development would adversely impact on the street scene. The proposed dwellings are not in keeping with the character of the surrounding area and its setting in the landscape. This is because of their proximity to neighbouring listed buildings.

The windows of the proposed dwellings, because of their size will cause considerable light pollution which is deemed harmful to local wildlife, particularly the bats which are evident towards the back of the site.

Whilst the Parish Council is not directly opposed to the change to residential development, it feels strongly that any dwellings should be more in keeping with the local landscape in order to protect the neighbouring listed buildings.

6.2 WSCC Highways

Further Comments (received 26.01.2023)

WSCC in its role as Local Highway Authority (LHA) has been reconsulted for the above application, following the applicant's submission of revised plans. The LHA previously provided comment on this application, dated 13/07/2023, raising no highway safety concerns.

From inspection of the revised plans, the proposed changes appear minor from a highway safety point of view, and do not warrant any additional comments. The LPA are advised to refer to the LHAs previous consultation response, dated 13/07/2023, for relevant comments. I include a revised conclusion paragraph below, to reflect the recent changes in the NPPF.

In summary, 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 115), and that there are no transport grounds to resist the proposal.

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

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.

Original Comments (received 13.07.2023)

Summary and Context

This application is for the demolition of an existing grain store and replacement with two residential dwellings. The site is located on Selsey Road, a B-classified road subject to a speed restriction of 40 mph in this location.

This application is supported by a Transport Technical Note prepared by Abley Letchford Partnership. Following an inspection of the application documents, WSCC in its role as Local Highway Authority (LHA) raises no highway safety concerns for this application.

The LHA previously provided consultation advice for this site for similar application HN/22/03211/FUL, raising no highway safety concerns. The applicant withdrew the application.

Access and Visibility

The applicant proposes to utilise the existing access point on Selsey Road, with no alterations proposed to this arrangement. From inspection of the application documents and WSCC mapping, there are no apparent visibility concerns with the existing vehicular access. In addition, the proposed development is not anticipated to give rise to a material intensification of use of the existing access.

An inspection of collision data provided to WSCC by Sussex Police from a period of the last five years reveals no recorded injury accidents attributed to road layout within the vicinity of the site. Therefore, there is no evidence to suggest the existing access has been operating unsafely or that the proposals would exacerbate an existing safety concern.

Parking and Turning

The plans demonstrate three car parking spaces per dwelling, totalling six for the site. The WSCC Car Parking Demand Calculator indicates that a development of this size and location would require six parking spaces - as such, the proposed parking provision is

considered sufficient. On-site turning appears achievable, allowing cars to exit the site in a forward gear.

Regarding cycles, each plot will be provided with a cycle store as per WSCC Parking Standards, which will encourage sustainable transport methods.

Sustainability

The site is situated south of Hunston, which provides some local services and amenities. However, Selsey Road lacks a footway and street lighting in this location, which may deter pedestrians - As such, the LHA anticipates that residents may have a reliance on the private car. Cycling is a viable option for confident cyclists.

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 111), and that there are no transport grounds to resist the proposal.

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

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.

6.3 CDC Archaeology Officer

It is unlikely that works associated with the proposal would affect archaeological deposits to the extent that refusal or the requirement of other mitigation measures would be justified.

6.4 CDC Environmental Strategy Officer

Original Comments (received 07.07.2023)

Reptiles

Following submission of the Reptile Survey Report (Nov 2022) we are happy that the precautionary mitigation proposed would be suitable. A condition should be used to ensure this takes place.

Great Crested Newts

Following submission of the Preliminary Ecological Appraisal (Aug 2022) we are happy that the precautionary mitigation proposed would be suitable. A condition should be used to ensure this takes place.

Bats

Any 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 box is installed on the building / trees facing south/south westerly positioned 3-5m above ground.

Hedgehogs

Any brush piles, compost and debris piles on site could provide shelter areas and hibernation potential for hedgehogs. These piles must be removed outside of the hibernation period mid October to mid-March inclusive. The piles must undergo soft demolition. A hedgehog nesting box should be installed within the site to provide future nesting areas for hedgehogs.

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 (within 24 hours of any work).

We would like a bird box to be installed on the building / and or tree within the site

Recreational Disturbance

For this application we are satisfied that the HRA issue of recreational disturbance can be resolved 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.

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

6.5 Third Party Representations

1 no. letters of objection have been received concerning;

- o They do not object to principle of dwellings on the site.
- o The houses are suburban in appearance and would not be in keeping with the context of the application site.
- o The ridge height is almost a metre higher than the existing agricultural ban and should be reduced.
- o Concerns regarding the impact of the proposal on the Grade II listed building.
- o Concerns regarding overlooking of Kipson House's rear garden from the front elevation of the new properties. There are a significant number of windows that would face the rear garden.
- o The preservation of the existing planting between the application site and Kipson House should be retained.
- o There is a large area of windows proposed as part of the development. This may impact existing wildlife in terms of increase in light spill.
- o The prospect of the 'fall-back' of the prior approval application should not be given any weight.

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 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 4: Housing Provision
- Policy 8: Transport and Accessibility
- Policy 33: New Residential Development
- Policy 39: Transport, Accessibility and Parking
- Policy 45: Development in the Countryside
- Policy 47: Heritage and Design
- Policy 48: Natural Environment
- Policy 49: Biodiversity

Chichester Local Plan 2021 - 2039: Proposed Submission (Regulation 19)

7.3 The Chichester Local Plan 2021-2039: Proposed Submission (LPPS) has now completed its 'Regulation 19' consultation (17 March 2023). The Council's published Local Development Scheme in January 2023 anticipated that the plan would be submitted for

examination in Summer 2023 but given the complexity of issues involved the anticipated submission date is now Spring 2024. Accordingly, the plan could now be considered to be at an 'Advanced Stage of Preparation' for the purposes of para 48(a) of the National Planning Policy Framework (NPPF) and consequently could be afforded moderate weight in the decision-making process. Once it is submitted for examination it will be at an 'Advanced Stage' for the purposes of assessment of development proposals against para 49(b) of the NPPF.

National Policy and Guidance

7.4 Government planning policy now comprises the revised National Planning Policy Framework (NPPF 2023), which took effect from December 2023. 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.

7.5 Consideration should also be given to the following sections: Sections 1, 2, 3, 5, 6, 12, 15, 16. The relevant paragraphs of the National Planning Practice Guidance have also been taken into account.

Other Local Policy and Guidance

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

- Surface Water and Foul Drainage
- CDC Waste Storage and Collection Guidance

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:

- Support communities to meet their own housing needs
- 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 development
- ii. Design and impact upon character of the surrounding area
- iii. Impact upon amenity of neighbouring properties
- iv Highway Safety
- v. Ecological considerations
- vi. Recreational Disturbance

Assessment

i. Principle of development

- 8.1 The application site is located outside of any defined settlement boundary where new dwellings are generally resisted. However, the Council's Interim Statement for the Delivery of Housing recognises that the Local Plan policies to deliver new housing are out of date. Therefore the policies that seek to deliver housing in built up areas rather than countryside locations carry less weight than the NPPF which seeks to boost the supply of housing. The NPPF is clear in paragraph 11(d) that when relevant policies are out of date applications should only be refused where significant and demonstrable harm, having regard to the policies within the framework, would outweigh the benefits.
- 8.2 In addition to the above, the principle of 2 no. dwellings on this application site was established by a prior approval application HN/22/02350/PA3Q. The prior approval is considered a realistic fallback position for the applicant and therefore it has established the principle of 2 dwellings on this site.
- 8.3 The established position for the provision of residential development on the site is a material consideration that carries significant weight in the balancing of the key issues. As set out within the report below the development would not result in any significant harm, and taking into account the fall-back position on the site and the benefits of providing new dwellings, albeit only 2, it is considered that the principle of the development is acceptable.

ii. Design and impact upon character of the surrounding area

- 8.4 Policy 33 of the Chichester Local Plan sets out that any proposed development must meet the highest standards of design and provide a high quality living environment in keeping with the character of the surrounding area and its setting in the landscape. This includes considering its proportion, form, massing, siting, layout, density, height, scale and neighbouring and public amenity. Section 12 of the NPPF reiterates the requirement for good design. Policy 45 of the Chichester Local Plan requires development in the countryside should be of a scale, siting, design and incorporate materials that would have minimal impact upon the landscape and rural character of the area. Policy 48 of the Chichester Local Plan requires, amongst other considerations, proposals respect and enhance the landscape character of the surrounding area and site. Section 15 of the NPPF sets out that proposal should contribute to and enhance the natural and local environment.
- 8.5 The existing building consists of a rectangular building, the lower walls are constructed of concrete, while the upper walls and roof comprise of corrugated cladding. The agricultural

barn is located to the south west side of the existing access track. Previous permission was granted for a change of use of the agricultural building under prior approval permission HN/22/02350/PA3Q.

- 8.6 This proposal seeks permission for the demolition of the existing agricultural building and the erection of 2 no. detached two storey dwellings. The dwellinghouses would be sited in a similar location to the existing agricultural building and would have a similar sized domestic curtilage to the prior approval scheme.
- 8.7 A revised scheme has been provided for the application, the revised scheme included a reduced overall ridge height, revised fenestration and materials and reduction in scale of the rear outshot of the dwellings from two storey to single storey. The proposed ridge height of the revised dwellings are approximately 7.65m, which would be of a similar height to the existing agricultural building (approximately 7.6m). In addition, the revised scheme would have a similar floorspace to the prior approval scheme. It is considered that the revised scheme would be acceptable and would not have a significant impact on the character of the rural area. While it is noted that the proposal includes an overall increase in fenestration compared to the prior approval application, on balance it is not considered to cause harm to the surrounding area.
- 8.7 The boundary treatments for the development consist of planting/hedging, which would be considered to be acceptable. If the application is permitted, a condition will be added to require the submission and agreement of landscaping and boundary treatments for the development to allow control over the details of the boundary treatment and to ensure that they are in keeping with the rural area. It is suggested that native hedging with stock proof fencing is utilised for the boundary treatments for the development.
- 8.8 The proposed materials for the dwellinghouses consist of proposed timber cladding and metal profile roofing. It is considered that the proposed materials would be acceptable and would not detract from the character of the surrounding area. If the application is permitted, a condition will be added to require the submission of materials details for the proposed development.
- 8.9 There is a Grade II listed building, Kipson House, to the north west which is approximately 41m from the agricultural building. The proposed development was discussed with the Council's Conservation and Design Officer and it is considered that the development would of a sufficient distance so not to impact the setting of the listed building.
- 8.10 The proposals by reason of their size, design and appearance would be appropriate and would not cause significant harm or detriment to the wider area and therefore would accord with local and national development plan policies. Therefore, it is considered that the development would comply with NPPF sections 12 and 15 and policies 2, 33, 45, 47 and 48 of the Chichester Local Plan.

iii. Impact upon amenity of neighbouring properties

- 8.11 The NPPF states in paragraph 135 that planning should ensure a good quality of amenity for existing and future users (of places), and policy 33 of the CLP includes requirements to protect the amenities of neighbouring properties.

8.12 The proposed development would be approximately 41m from the neighbouring property to the north. While the proposed development would be approximately 70m from the barns located to the east, which have been subject to planning permission for a change of use to a dwellinghouse.

8.13 On balance, it is considered that 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 Chichester Local Plan and paragraph 135 of the NPPF.

iv. Highway Safety

8.14 Policy 39 requires development to have safe and adequate access to the public highway and on-site parking needs which meet the current West Sussex County Council guidance.

8.15 The proposal has been reviewed in consultation with WSCC Highways, who have raised no objection to the proposed development. They have advised that the proposal would not be anticipated to give rise to a material intensification of use of the existing access. There are a total of 6 no. parking spaces proposed for the dwellings, with 3 no. parking spaces allocated to each dwelling. The WSCC Car Parking Demand Calculator states that a minimum of 6 no. parking spaces would be expected for the dwellings. Therefore, the car parking would be in accordance with this and is considered to be sufficient. The application site is located south of Hunston, which provides local services and amenities. It is noted that there are no footways and street lighting in the immediate vicinity of the application site. Therefore, this may increase reliance on travelling by motor car. However WSCC Highways have advised that cycling may be a viable option for the area. A cycle store would be provided for each development and if the application is permitted a condition will be added to require the submission of the details of the cycle store to the Local Planning Authority.

8.16 As such, subject to future compliance with the suggested conditions, the proposal will comply with Policy 39 of the Chichester Local Plan and result in an acceptable highways impact.

v. Ecological Considerations

8.17 Policy 49 of the Chichester Local Plan refers to the protection and enhancement of biodiversity of the proposed site. The application site is located adjacent to a bat home and movement network. Therefore, the application needs to be carefully assessed in terms of potential impact on bats and other protected species.

8.18 An Ecological Appraisal and Reptile Survey Report was submitted in support of the application. The Ecology Officer stated that they were satisfied with the proposed mitigation set out within the report for reptiles and great crested newts and it should be ensured that this mitigation takes place. In addition, the Ecology Officer requested that further mitigation and enhancements for bats, birds and hedgehogs for the site. Therefore, conditions securing this mitigation and enhancements have been recommended below and subject to compliance, the proposals would be in accordance with Local Plan Policy 49.

vi. Recreational Disturbance

8.19 The application site lies within the 5.6km zone of influence for the Chichester and Langstone Harbours Special Protection Area (SPA) and the 3.5km of Pagham Harbour SPA. Policies 50 and 51 of the Chichester Local Plan require new development to mitigate the impact of the increase in recreational disturbance, either by way of a package of bespoke avoidance/mitigation measures or by way of a financial contribution towards mitigation strategies for the SPA. A unilateral undertaking has been secured for the required mitigation payment and as such the development now accords with Policies 50 and 51.

Conclusion

8.20 Based on the above, it is considered that the principal is acceptable given the established fallback position and the proposal is acceptable in respect of the siting, size, design and appearance of the buildings. The proposal therefore complies with Local Plan policies 8, 33, 39, 40, 48 and 49 and national planning policies contained within the NPPF, and is recommended for approval.

Human Rights

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

RECOMMENDATION

PERMIT WITH S106 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) Prior to any development, a refurbishment and demolition survey shall be undertaken to confirm the presence or absence of asbestos containing materials (ACM), at the development site. If ACM are present a method statement of works shall be submitted to and approved by the Local Planning Authority giving due consideration to The Control of Asbestos Regulations 2012.

Reason: To protect the health of the contractors and future occupiers of the site from any possible effects of asbestos in accordance with local and national planning policy

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

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

5) No development above slab level 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 and energy consumption maximising renewable resources 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 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.

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

Reason: To provide car-parking space for the use

7) **No part of the development hereby permitted shall be first occupied** until covered and secure cycle parking spaces have been provided in accordance with plans and details that shall first have been submitted to and approved by the Local Planning Authority. Thereafter the cycle parking shall be retained for that purpose in perpetuity.

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

8) No part of the development shall be first occupied until the refuse and recycling facilities have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To provide adequate refuse and recycling facilities.

9) **The development hereby permitted shall not be first brought into use** until a scheme detailing hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include plans showing the proposed finished levels or contours; means of enclosure; car parking layouts; other vehicles and pedestrian access and circulation areas; details and samples of the hard surfacing materials; and a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities and a programme for the provision of the hard and soft landscaping. The boundary treatments for the site shall comprise native hedging with stock proof fencing. Thereafter the scheme shall be carried out in accordance with the approved details and once provided, the works shall be retained in perpetuity.

Any trees or plants which 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 amenity and of the environment of the development.

10) The development hereby permitted shall not be first brought into use until the following ecological enhancements have been implemented:

- a. The installation of a bat box onsite facing south/south westerly positioned 3-5m above ground on the building or tree.
- b. The installation of one bird box on the building/ and or tree within the site
- c. The installation of a hedgehog nesting box within the site.

Thereafter, the ecological enhancements shall be retained and maintained in perpetuity.

Reason: In the interests of securing a biodiversity enhancement.

11) The development hereby permitted shall be carried out in strict accordance with the Bat Scoping Survey and Preliminary Ecological Appraisal, prepared by The Ecology Co-op (August 2022) and the Reptile Survey Report, prepared by The Ecology Co-op (November 2022), and the methodology and mitigation recommendations they detail, unless otherwise agreed in writing by the authority.

Reason: In the interests of protecting biodiversity and wildlife.

12) The following ecological mitigation measures shall be adhered to at all time during construction;

- a. Any brush, compost and/or debris piles on site could provide shelter areas and hibernation potential for hedgehogs. These piles must be removed outside of the hibernation period mid-October to mid-March inclusive. The piles must undergo soft demolition.
- b. 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.
- c. The lighting scheme for the site must 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.

Reason: In the interests of protecting biodiversity and wildlife.

13) Should any land contaminants or unexpected ground conditions be identified during the course of development then groundworks shall cease, and the Environmental Health Department shall be notified so that any required remediation can be approved in writing before implementation.

Reason: In the interests of amenity and to protect the health of future occupiers of the site from any possible effects of contaminated land in accordance with local and national planning policy

14) 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, AA, B, C, D, E and F of Part 1 Schedule 2 shall be erected or made on the application site without a grant of planning permission.

Reason: in the interest of visual amenities.

15) 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 fence, wall or other means of enclosure shall be erected, constructed or established on the application site without the grant of planning permission via a section 70 application.

Reason: in the interest of visual amenities.

16) Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 no external lighting 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 the location, design and level of illumination for the lights, including details of how light spillage shall be avoided. Thereafter the external lighting shall be maintained as approved in perpetuity.

Reason: in the interest of visual amenities.

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 - LOCATION AND BLOCK PLAN	01	B	12.06.2023	Approved
PLAN - Proposed Site Plan	03	D	24.01.2024	Approved
PLAN - Proposed Floor Plans	06	E	24.01.2024	Approved
PLAN - Proposed North and South Elevations	08	F	24.01.2024	Approved
PLAN - Proposed Elevations	09	E	24.01.2024	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).

For further information on this application please contact Rebecca Perris on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RW5GVOERL0M00>