



Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management
Procedure) (England) Order 2010 (as amended)
Application for Planning Permission
DECISION NOTICE

Application Ref: AB/64/14/PL

1 To Addressee

Henry Adams Planning Ltd
 Rowan House
 Baffins Lane
 Chichester
 West Sussex
 PO19 1UA

2 Site Address

44 Torton Hill Road
 Arundel
 BN18 9HL

3 Description of Development

Demolition of existing dwelling and erection of 1 no. 4 bed dwelling and garage and a pair of semi-detached dwellings comprising 1 no. 4 bed dwelling with detached garage and 1 no. 3 bed dwelling with integral garage and new access. Resubmission of AB/126/13/

4 In pursuance of their powers under this Act and related Orders and Regulations the Council **PERMIT** this development to be carried out in accordance with the application and plans and subject to compliance with the conditions specified below.

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

- 2 The development hereby approved shall be carried out in accordance with the following approved plans: Location plan, drawing number BJH.01 (The survey plan) dated November 2013, BJH.02 (Root constraints plan) dated November 2013, BJH.03 (Tree retentions and removals plan), BJH.04 (Tree protection plan) dated May 2014, 0.000 (Site location plan) dated October 2013, 0.001 (Existing site layout plan) dated October 2013, 2.001 (Proposed site layout plan) dated November 2013, 0.002 (Existing plans) dated November 2013, 0.003 (Existing elevations and sections) dated 11-08-2013, 2.003 (Plot 1 proposed new dwelling plan section and elevations) dated October 2013, 2.004 (Plot 03 - Proposed new dwelling plans section and elevations) dated October 2013, 2.005 (Proposed garage and home office plans sections and elevations) dated November 2013 and 2.006 (Street scenes and perspective views) dated April 2014.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 No development shall commence unless and until details and samples of the brickwork and tile hanging for the elevations and tiles to be used in the roofs of the dwellings hereby permitted shall be submitted to and approved by the Local Planning Authority and the details so approved shall be used in the construction of the dwellings and retained thereafter.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 4 The office in the detached garage/office building hereby approved shall only be used for purposes incidental to the enjoyment of the detached dwelling (Plot 3) at all times.

Reason: To enable the Local Planning Authority to control residential amenity in accordance with policy GEN7 of the Arun District Local Plan.

- 5 No development shall take place until details of all boundary treatment around the site have been submitted to and approved by the Local Planning Authority and no dwellings shall be occupied until such boundary treatment associated with them have been erected and shall thereafter be retained in perpetuity.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

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No development including site access, demolition or associated construction activities, shall take place on the site unless and until all the existing trees/bushes/hedges to be retained on the site have been protected by a fence in accordance with BS5837 (2012) and Section 9, to be approved by the Local Planning Authority for erection around each tree, group of trees and vegetation to a distance of 15m or to the Root Protection Area (RPA) as calculated in accordance with Table 2 of BS5837 (2012) to be agreed in writing by the Local Planning Authority. Within the areas so fenced off the existing ground must not be cultivated, nor must it be lowered or raised or added to by the importation and spreading of top soil unless agreed by the Local Planning authority. There must be no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without prior written approval of the Local Planning Authority.

No trenching should occur within the protective fencing surrounding the Root Protection Area. If however there is no alternative but to locate the services then its encroachment into the Root Protection Area must be kept to a minimum and where the roots should be exposed using compressed air technology, such as the air spade to reduce damage caused by mechanical methods. If roots requiring severance to allow for the passage of services is necessary then an arboriculturist would be required to assess and determine whether the loss of the roots would be detrimental to the continued health and stability of the affected tree.

Reason: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with policy GEN7 of the Arun District Local Plan.

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Landscaping (hard and soft) shall be carried out in accordance with the details shown on drawing number 4.001 dated July 2014 and soft landscaping planting schedule dated July 2014. All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

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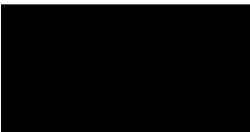
Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting this Order), any development for the dwellinghouses hereby approved that falls under Part 1, Schedule 2, Classes A to E inclusive of the Town and Country Planning (General Permitted Development) (Amendment)(England) Order 2008 shall not be constructed unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with policy GEN7 of the Arun District Local Plan.

INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any

representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

INFORMATIVE: All tree works are to comply with BS5837:2012 - Trees in relation to design, demolition and construction - Recommendations.

 Case Officer: Mr D Sullivan

Date of Decision: 27 August 2014

Karl Roberts
Assistant Director Planning & Economic Regeneration

Arun District Council
The Arun Civic Centre
Maitravers Road
Littlehampton
West Sussex BN17 5LF

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

NOTES RELATING TO PLANNING APPLICATION
TOWN AND COUNTRY PLANNING ACT 1990
APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the First Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.

For all other cases, if you want to appeal, then you must do so within 6 months of the date of this notice using a form which you can get from the Secretary of State at the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or on line at www.planningportal.gov.uk/pcs

If this decision is a refusal relating to a minor commercial development, where the application was made on or after 1 October 2013, please note that you must appeal within 12 weeks of the date of this notice. For a definition of minor commercial development please refer to The Town and Country Planning (Appeals) (Written Representations Procedure and Advertisements) (England) (Amendment) Regulations 2013 or contact this office for clarification.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

PURCHASE NOTICES

If either the local planning authority or the Secretary of State refused permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park authority for the Park, or in any other case the district council in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town &

Country Planning Act 1990.

Please note that this decision notice only relates to matters under the Planning Acts and does not give consent under any other legislation that may apply to the development. You will need to carry out your own checks to determine whether any other consents or permissions are required. For example, the Building Regulations are likely to apply to most developments, and a Highways Licence may be required from West Sussex County Council for any development within the public highway (including the placing of skips on highway land).