Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2015

Application for Planning Permission

DECISION NOTICE

Application Ref: AB/150/21/PL

1 **To Addressee**

MH Architects Ltd
Bicentennial Building
Southern Gate
Chichester
PO19 8EZ

---

2 **Site Address**

Land adjacent to
30 Ellis Close
Arundel
BN18 9LG

---

3 **Description of Development**

Erection of 3no. 2 bedroom dwellings with associated parking and landscape. This application is in CIL Zone 2 and is CIL liable as new dwellings.

---

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 the following conditions.

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, Site and Proposed Site Sections - 010 -P3
- Proposed Floor Plan and Elevations - 011 P2
- Construction Details - D1955-301 Rev B
- Topographical Survey - D1955-2 Rev C
- S278 Legal Agreement and S247 Stopping Up - D1955-202 Rev A
- Horizontal Alignment and Surface Finishes - D1955-201 Rev A
- Site Plan showing Highway Information - 012 - P2
- Arboricultural Method Statement - Jan 2022
- Tree Protection Plan - Arbtech - TPP02

- Arboricultural Impact Assessment - Arbtech AIA 03
- Construction and Environmental Management Plan - D1955-301 Rev B
- Topographical Survey, Proposed Levels and Drainage - D1955-200 Rev D

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

3 No vegetation and building clearance shall be undertaken within the nesting bird season (March to September inclusive). Should vegetation and building clearance be required within these times then any vegetation and/or buildings to be removed or disturbed should be checked by a suitably qualified ecologist for nesting birds within 24 hours prior to works commencing.

Reason: To safeguard protected birds, species and habitats on site in accordance with Policies ENV SP1, ENV DM1, ENV DM3 and ENV DM5 of the Arun Local Plan.

4 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. A hedgehog nesting box should be installed within the site to provide future nesting areas for hedgehogs.

Reason: To safeguard species and habitats on site in accordance with Policies ENV SP1, ENV DM1, ENV DM3 and ENV DM5 of the Arun Local Plan.

5 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of soft landscaping. Landscape details would need to include a detailed planting plan and specification detailing species choice, actual plant quantities, planting densities and size at time of planting. Detail should also be provided regarding existing trees and boundary planting.

Reason: In the interests of amenity and of the environment of the development in accordance with policy D DM1 of the Arun Local Plan.

6 No development above damp proof course (DPC) level shall take place unless and until details and a timetable in the form of an Energy Statement (including details of physical works on site, sustainable construction methods, energy conservation and energy efficiency measures and renewable energy sources), have been submitted to and approved in writing by the Local Planning Authority. At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the NPPF) unless it can be demonstrated that a fabric-first approach would achieve an equivalent energy saving. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to secure on site renewable energy, reduce energy use, and ensure the development is sustainable, in accordance with national planning policy, and in accordance with Policies ECC SP1 and ECC SP2 of the Arun Local Plan

7 Prior to occupation of the dwelling, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the dwelling shall be submitted to the Local Planning Authority for approval and thereafter implemented in accordance with the approved details and the charge point shall thereafter be retained and maintained in good working condition.

Reason: New petrol and diesel cars/vans will not be sold beyond 2030, to mitigate against any potential adverse impact of the development on local air quality and to provide sustainable travel options in accordance with policies T SP1, T DM1 & QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the National Planning

Policy Framework (NPPF).

8 All activity at the site is to be carried out in strict accordance with the ' Arboricultural Method Statement and 'Tree Protection Plan - Arbtech TPP 02.

Reasons: To comply with BS5837 and policy ENV DM4 of the Arun Local Plan to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area.

9 No development above damp proof course (DPC) level shall take place until full details of the placement of 3 bird and bat nesting boxes either on the house or in the rear garden have been submitted to and approved in writing by the Local Planning Authority. The bat boxes should be facing south/south westerly positioned 3-5m above ground. The approved details shall then be implemented in full prior to occupation and thereafter retained to the satisfaction of the Local Planning Authority.

Reason: In the interests of biodiversity enhancement as per the requirements of Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

10 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed semi-detached residential building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character and appearance of the area by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

11 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan (010 P3). These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use in accordance with TSP1 of the Arun Local Plan.

12 No part of the development shall be first occupied until covered and secure cycle parking spaces has been provided in accordance with the approved Drawing 11 P2.

Reason: To provide alternative travel options to the use of the car in accordance TSP1 of the Arun Local Plan.

This application is subject to the Community Infrastructure Levy (CIL) as levied under Arun district Council's CIL Charging Schedule as adopted on 15th January 2020.

Shortly you will receive a Liability Notice which includes the calculated charge and person(s) liable to pay. If you have not submitted all the necessary CIL forms such as Assumption for Liability (Form 2) or any appropriate exemption or relief forms available on the Councils website https://www.arun.gov.uk/cil you must do so prior to commencement of your development. Failure to do so would invalidate any claim for exemption or relief. Furthermore, you must remember to submit your Commencement Notice no later than the day before the day on which the chargeable development is to commence. Failure to do so could result in a surcharge of up to £2,500.

INFORMATIVE: The applicant is advised that the existing public highway to be incorporated into the

development must be the subject of a Stopping Up Order. This process must be successfully completed prior to any highway land being enclosed within the development. The applicant should contact the Department for Transport's National Transport Casework Team in order to commence this process:

National Transport Casework Team
Tyneside House
Skinnerburn Road
Newcastle Business Park
Newcastle upon Tyne
NE4 7AR
https://www.gov.uk/government/publications/stopping-up-and-diversion-of-highways

INFORMATIVE: The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. 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.



Neil Crowther
Group Head of Planning

Case Officer: Amber Willard

Decision Issued: 3rd March 2022

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

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

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 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 this planning application decision, 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 this planning application decision, 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.

Otherwise, if you want to appeal against this decision then you must do so within 6 months of the date of this notice.

Appeals must be using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at http://acp.planninginspectorate.gov.uk

The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State 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.

If you intend to submit an appeal that you would like examined by inquiry then you must send notice to the Local Planning Authority and Planning Inspectorate(inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details can be found at www.GOV.uk

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).