



Ms C Sutton
MH Architects Limited
Ground Floor - Bicentennial Building
Southern Gate
Chichester

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

web: www.arun.gov.uk
email: stuart.corbey@arun.gov.uk

11th September 2018
Please ask for:
Stuart Corbey

Our Ref: AB/39/18/PL

Dear Ms Sutton,

**Town and Country Planning (Pre-commencement Conditions) Regulations 2018 -
Notice regarding intention to impose pre-commencement conditions**

A pre-commencement condition is defined in section 100ZA(8) as a condition imposed on a grant of planning permission (other than a grant of outline planning permission within the meaning of section 92 of the 1990 Act) which must be complied with (a) before any building or operation comprised in the development is begun, or (b) where the development consists of a material change of use of any buildings or other land, before the change of use is begun.

The LPA are considering imposing the following pre-commencement conditions on the application mentioned above.

3. No development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:
 - a. An indicative programme for carrying out of the works;
 - b. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s);
 - c. the parking of vehicles of site operatives and visitors;
 - d. loading and unloading of plant and materials;
 - e. storage of plant and materials used in constructing the development;
 - f. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - g. measures to control the emission of dust and dirt during construction; and

Reason: In order to protect the amenity and living conditions of neighbouring properties in accordance with policies QE SP1, QE DM1, QE DM2 and QE DM3 of

the Arun Local Plan 2011-31. This is required to be a pre-commencement condition because it is necessary to have the site set-up agreed prior to work starting.

5. Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater 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.

No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactory drained in accordance with policies D DM1 and W DM3 of the Arun Local Plan 2011-2031. It is considered necessary for this to be a pre-commencement condition to ensure that the surface water disposal scheme is agreed before construction commences.

7. Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The development shall be carried out in accordance with the approved scheme.

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul sewerage in accordance with policies W DM1 and W DM3 of the Arun Local Plan 2011-31. It is considered necessary for this to be a pre-commencement condition because it would not be possible to implement a foul drainage scheme once development had been completed.

8. Development shall not commence until full details of the proposed measures to be undertaken to divert the existing public sewer has been submitted and approved in writing by the local planning authority (in conjunction with Southern Water). The dwelling shall not be occupied until the measures in respect of diverting the sewer have been completed in accordance with the agreed details.

Reason: To ensure that the proposed development does not result in any damage to the existing foul sewer in accordance with policies W DM1 and W DM3 of the Arun Local Plan 2011-31. It is considered necessary for this to be a pre-commencement condition because otherwise development could harm the existing sewer below the ground surface.

From 1 October 2018 section 100ZA(5) provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition (except in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018).

In order to progress your application you are asked to confirm in writing your acceptance of the proposed condition(s) by (insert date *10 **working** days beginning with the day after the date on which the notice is given*). If you provide a substantive response before the (insert date) we may be able to issue a decision prior to that date.

Your other options are:-

- provide comments (within the time limit) on the proposed pre-commencement condition, in which case that condition cannot be imposed
- choose not respond (i.e. remain silent). If there is no response by the date given in the notice the local planning authority may grant planning permission subject to the terms of the pre-commencement condition specified in the notice
- indicate (within the time limit) that you do not agree to the terms of the proposed pre-commencement condition, in which case the local planning authority may then either:
 - i. grant planning permission without the pre-commencement condition,
 - ii. seek written agreement to an alternative pre-commencement condition, or
 - iii. refuse to grant permission (if it considers that the disputed pre-commencement condition is necessary to make the development acceptable in planning terms).

Please contact me to discuss the matter if there is anything in the letter that you require clarification on.

If you wish to discuss the contents of this letter, or if there is anything you do not understand, please contact me.

Yours sincerely

Stuart Corbey
Senior Planning Officer

Development Management
Arun District Council