

DECISION NOTICE

Application Ref: AL/104/25/S73

1 To Addressee

Mr E Rees
St Johns House
St Johns Street
Chichester
PO19 1UU

2 Site Address

Land North of The Haven
and East of Northfields Lane
Westergate
PO20 3UH

3 Description of Development

Variation of conditions 2 and 5 imposed under AL/127/24/PL relating to plans and revised Tree Retention Protection Plan.

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 on or before the 21.08.2028 (being three years from the date of the original planning 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 - 24005 - 01
 - Proposed Block Plan - 24005 - 02B
 - Proposed Ground Floor Plan - 24005 - 04B
 - Proposed First Floor Plan - 24005 - 05B
 - Proposed Elevations - 24005 - 06A
 - Proposed Elevations - 24005 - 07A
 - Proposed Site/Roof Plan - 24005 - 03B

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

- 3 No development shall take place until a Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include:
- A risk assessment of construction activities that are potentially damaging to biodiversity and identification of protection zones;
 - Measures to avoid or reduce ecological impacts during construction;
 - Location and timing of sensitive works and details of when an ecologist may need to be present on the site, and;
 - Responsible persons and lines of communication.

The construction process shall be carried out only in accordance with the approved.

Reasons: To ensure protection of species and habitats in accordance with Arun Local Plan policies ENV SP1 and ENV DM5.

- 4 Prior to the commencement of development, full details of the proposed surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall include:
- Winter groundwater monitoring;
 - Winter infiltration testing in accordance with BRE DG 365 or similar;
 - Details of the proposed method and location of surface water disposal in accordance with the SUDS Hierarchy;
 - An impermeable area plan;
 - Calculations modelling for the surface water drainage network for the following storm events: 100% Annual Exceedance Probability (AEP); 10% AEP plus climate change allowance; 3.3% AEP plus climate change allowance, and; 1% AEP plus climate change allowance. All storm events must include an allowance for urban creep and surcharged outfalls where appropriate.
 - Detailed drainage plans;
 - Specifications for all surface water drainage components and associated infrastructure or flow control mechanisms, and;
 - Any relevant permissions relating to the discharge location, works to watercourses or adoption of the SUDS scheme.

The development shall be carried out only in accordance with the approved plans. The surface water drainage system shall remain for the lifetime of the development.

Reasons: To ensure that the proposed development is satisfactorily drained and in accordance with Arun Local Plan policies W SP1, W DM1, W DM2 and W DM3. This is required to be pre-commencement so details can be approved prior to construction.

- 5 Prior to the commencement of development, including site clearance, the trees to be retained on the site shall be protected in full accordance with the details shown on drawing GS344.Northfield.TRPP Version 2 dated 08.10.2025 titled 'Tree Retention and Protection Plan'. Those protection measures shall be maintained in accordance with those details until the construction period is complete.

Reasons: To ensure the trees are satisfactorily protected in compliance with Arun Local Plan policy ENV DM4. This is required to be pre-commencement to ensure the protection measures are in place prior to works starting.

- 6 The development shall be carried out in accordance with the mitigation measures set out in Section 9 of the 'Flood Risk Assessment and Drainage Strategy' ref D2312/FRA1.1 dated September 2024 by BP Civils. The development shall be maintained in accordance with those measures at all times.

Reasons: To ensure the site does not increase flood risk to occupiers in compliance with Arun

Local Plan policy W DM2.

- 7 Prior to commencement of development above the damp proof course, final details of a biodiversity enhancement plan shall be submitted to and approved in writing by the Local Planning Authority. Those measures shall be installed in full not later than 12 months following the first occupation of the dwelling and shall be maintained thereafter.

Reasons: To ensure protection of species and habitats in accordance with Arun Local Plan policies ENV SP1 and ENV DM5.

- 8 The installation of any hard surface within the root protection area of tree T04 (as annotated on drawing GS344.Northfield. TRPP Version 1 dated 02.11.2024 titled 'Tree Retention and Protection Plan'), shall be carried out in accordance with the details specified in paragraphs 3.7 to 3.11 of the Arboricultural Impact Assessment and Method Statement by South Downs Ecology version 1 dated 2nd November 2024.

Reason: To ensure the tree is adequately protected in accordance with Arun Local Plan policy ENV DM4.

- 9 If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun Local Plan policies QE SP1 and QE DM4.

- 10 Any works which will impact the breeding or resting place of dormice shall not commence unless the Local Planning Authority has first been provided with either:
- A licence issued by Natural England authorising the development or activity to go ahead, or;
 - A statement in writing from Natural England to the effect that it does not consider that the specified development or activity will require a license.

Reasons: To ensure protection of species on site in compliance with Arun Local Plan policy ENV DM5.

- 11 Prior to the first occupation of the dwelling, an electric vehicle charging point shall be installed for use by future occupiers. This shall be maintained and be available for use at all times.

Reason: To mitigate against adverse impacts on local air quality and to promote sustainable travel, in accordance with Arun Local Plan policy QE DM3(c), the Arun Parking Standards SPD and the NPPF.

- 12 No external lighting shall be installed to the site unless details of that lighting have first been submitted to and approved in writing by the Local Planning Authority. Those details shall demonstrate how the lighting is designed and positioned to avoid harmful effects on bat species and the lighting shall only be installed and maintained in accordance with the approved details.

Reasons: In the interests of the amenities of the area, the site biodiversity (particularly in respect

of bats), the interests of minimising crime, road safety and to minimise unnecessary light spillage outside the development site in accordance with Arun Local Plan policies QE SP1, QE DM2, T SP1 and ENV DM5.

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 Council's 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: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.



Neil Crowther
Group Head of Planning

Case Officer: Amber Willard
Decision Issued: **3rd December 2025**

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 s73

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).