



The Town & Country Planning Act 1990 (as amended)
 Town & country Planning (Development Management
 Procedure) (England) Order 2015 - Article 6
 Application for Approval of Reserved Matters Following
 Outline Approval

DECISION NOTICE

Application Ref: AL/107/16/RES

1

To Addressee

Mrs A Wright
 David Wilson Homes
 Tollbar House
 Tollbar Way
 Hedge End
 Southampton
 SO30 2UH

2

Site Address

Land West of Westergate Street & East of Hook Lane
 Westergate
 PO20 3TE

3

Description of Development

Application for Reserved Matters application following Outline Planning Permission AL/39/13 for the demolition of Oakdene and all other structures within the site and the erection of 79 dwellings, public open space, children's play areas, landscaping, drainage measures, sub-station, pumping station and all other associated works.

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

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The development hereby approved shall be carried out in accordance with the following approved plans:

Site Layout Plan - 160104/SL Rev Y
 Site Layout Plan - 160104/CSL Rev G
 Boundary Plan - 160104/BP Rev H
 Tenure Plan - 160104/TP Rev G
 Management Company Plan - 160104/MC Rev C
 Materials Schedule - 160104/MS Rev K
 Parking Plan - 160104/PP Rev G
 Soft Landscape Proposals - BDWS20440 11G Sheets 1 to 4
 Open Space Areas Plan - 160104/OS Rev C
 Landscape Masterplan - BDWS20440-10B Rev C

160104/SS01 Rev B Streetscenes (sections) Sheet 1
 160104/SS02 Rev B Streetscenes (sections) Sheet 2
 BSO-E4462-020 B Proposed Levels Strategy

160104/RP Rev F Refuse Plan
 BSO/E4462/013 C Highway Layout Review
 160104/SL Rev X Roof Plan
 160104/EP Sub Station Elevations and Floor Plan

BSO/E4462/004 E Pumping Station Tanker Swept Path Analysis
 BSO/E4462/001 G Refuse Vehicle Swept Path Analysis
 BSO/E4462/002 G Fire Tender Swept Path Analysis

160104/HT/ASH-AFF/EL Ashworth (Affordable) Elevations
 160104/HT/ASH-AFF/FP Ashworth (Affordable) Floorplans
 160104/HT/CHA/EL Charnwood Elevations
 160104/HT/CHA/FP Charnwood Floorplans
 160104/HT/SHE/EL Sherwood Elevations
 160104/HT/SHE/FP Sherwood Floorplans

60104/DG1/EP Double Garage 1 Elevations and Plans
 60104/DG2/EP Double Garage 2 Elevations and Plans
 60104/SG1/EP Single Garage 1 Elevations and Plan
 160104/SG2/EP Single Garage 2 Elevations and Plan
 160104/TG1/EP Triple Garage 1 Elevations and Plan

160104/HT/ASH/EL Ashworth Elevations
 160104/HT/ASH/FL Ashworth Floorplans
 160104/HT/HAD-DET/EL Hadley Detached Elevations
 160104/HT/HAD-DET/FP Hadley Detached Floorplans
 160104/HT/HAD-END/EL Hadley End Elevations
 160104/HT/HAD-END/FP Hadley End Floorplans
 160104/HT/HAD.1/EL Hadley 1 Elevations
 160104/HT/HAD.2/EL Hadley 2 Elevations
 160104/HT/HAD.A/EL Rev A Hadley A Elevations
 160104/HT/HAD.A/FP Rev A Hadley A Floorplans
 160104/HT/HAD.B/EL Rev A Hadley B Elevations
 160104/HT/HAD.A/FP Rev A Hadley B Floorplans
 160104/HT/HAD/EL Rev A Hadley Elevations
 160104/HT/HAD/FP Hadley Floorplans

160104/HT/HOL/EL Holden Elevations
 160104/HT/HOL/FL Holden Floorplans

160104/HT/LAY.1/EL Layton 1 Elevations
 160104/HT/LAY/EL Rev A Layton Elevations
 160104/HT/LAY/FL Layton Floorplans
 160104/HT/LEI/EL Leighton Elevations
 160104/HT/MAN/EL Rev A Manning Elevations
 160104/HT/MAN/FL Rev A Manning Floorplans
 160104/HT/TAM/EL Tamar Elevations
 160104/HT/TAM/FP Tamar Floorplans

BDWS20440 12E - Sheets 1 to 4 Hard Landscape proposals
 BDWS20440 20B Detailed Play Area Proposals

Reason: For the avoidance of doubt and in the interests of amenity and the environment and in line with policies GEN7 of the Arun District Local Plan, Policies H1, H3, H9 of the Aldingbourne Neighbourhood Plan and Policies H DM1, H DM2, D SP1, D DM1, D DM2 and D DM3 of the Emerging Arun District Local Plan.

- 2 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the dwelling houses on Plots 1 through to 5, Plot 19, Plot 37, Plots 39 through to 44, Plot 67 and 79 (shown on Plan ref. 160104/SL Rev X) shall be constructed or buildings shall be erected within the curtilage 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.

- 3 No dwelling shall be occupied until provision for their car parking has been made within the site in accordance with the approved details shown on the 'Parking Plan' (ref. 160104/PP Rev F, dated April 2016) by the Local Planning Authority and such provision shall thereafter be used only for the parking of cars.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of adjacent highways and in accordance with Policies GA1 and GA3 of the Aldingbourne Neighbourhood Plan and GEN7 of the Arun District Local Plan.

- 4 No dwelling shall be occupied until such time that arrangements for the future access and maintenance of any watercourse or culvert (piped watercourse) crossing or abutting the site has been submitted and approved in writing by the Local Planning Authority.

No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities of any watercourse on or adjacent to the site.

Reason: To ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion and in accordance with policies W SP1, W DM1, W DM2 and WDM3 of the Emerging Arun District Local Plan.

- 5 The existing outfall pipe which leaves the site in an easterly direction towards Westergate Street identified in the Surface Water Drainage Strategy plan BSO/R4462/031 D, associated with this development, is to be cleared of any blockages and appropriately repaired, if required, prior to the discharge of any surface water flows into this network associated with the approved development.

Reason: The proposed outfall pipe is essential to the successful and appropriate drainage of this residential development in accordance with Policy GEN9 of the Arun District Local Plan.

- 6 **INFORMATIVE:** Please note that related to this permission there is an agreement under Section 106 of the Town & Country Planning Act 1990.

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 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.

INFORMATIVE: The Applicant intends to manage internal roads via the approved Management Company Plan (160104/MC Rev B) however if the intention is for part or all, or part of the internal road layout to be offered for adoption, the Applicant should provide both an adoptable layout plan setting out the extent of the proposed adoption and an accompanying Design Audit for consideration by the Local Highways Authority, West Sussex County Council, under a S38 application.

Case Officer: Lucy Harding

Date of Decision:

24 May 2017



Neil Crowther
Group Head of Planning

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 12 weeks 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.

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).

