

DECISION NOTICE

Application Ref: AL/143/24/RES

1 To Addressee

Luken Beck mdp Ltd
59 Tower Street
Winchester
SO23 8TA

2 Site Address

Land adjacent to Woodgate Nurseries
Lidsey Road
Aldingbourne
PO20 3SU

3 Description of Development

Approval of reserved matters following outline consent AL/129/21/OUT for 93 No. residential dwellings with associated parking, landscaping, open space (including play areas), infrastructure and works. This application is in CIL Zone 3 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 approved shall be carried out in accordance with the following approved plans and documents:

- Planning Layout ST-22-01 Rev M.
- Location Plan Phase 1 ST-22-02.
- Housing Mix Plan ST-22-04 Rev E.
- Affordable Housing Plan ST-22-05 Rev F.
- Building Heights Plan ST-22-06 Rev E.
- Boundary Treatment Plan ST-22-08 Rev E.
- Materials Plan ST-22-09 Rev E.
- Bin And Cycle Storage Plan ST-22-10 Rev E.
- Parking Plan ST-22-11 Rev E.
- Street Scenes ST-22-12 Rev B.
- Coloured Layout Plan ST-22-13 Rev E.
- Surface Materials Plan ST-22-15 Rev F.
- Boundary Treatment Details ST-22-14 Rev A.

- EV Charging Plan ST-22-19 Rev A.
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- Affordable House Type Martham Elevations Page 50.
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- Garage Type Large Single Garage Elevations Page 54.
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- Garage Type Large Twin Garage Elevations Page 56.

- Garage Type Large Twin Garage Floor Plan Page 57.
- DS_0707_15 INF 301 Rev B Section S278 General Arrangement Layout.
- DS_0707_15 INF 100 Rev B PH1 Proposed FFLs, External Levels And Road Contour.
- DS_0707_15 INF 181 Rev D PH1 Vehicle Tracking, Refuse Vehicle.
- DS_0707_15 INF 182 Rev D PH1 Vehicle Tracking, Fire Appliance.
- DS_0707_15 INF 183 Rev C PH1 Vehicle Tracking, Private Car.
- General Arrangement GLS_020_170_P1_1300 Rev E.
- Planting Plan Sheet 1 GLS_020_170_P1_1501 Rev A.
- Planting Plan Sheet 2 GLS_020_170_P1_1502 Rev A.
- Planting Plan Sheet 3 GLS_020_170_P1_1503 Rev A.
- Planting Plan Sheet 4 GLS_020_170_P1_1504 Rev A.
- Planting Plan Sheet 5 GLS_020_170_P1_1505 Rev A.
- Planting Plan Sheet 6 GLS_020_170_P1_1506 Rev A.
- Open Space Area Plan GLS_020_170_P1_1900 Rev C.
- Landscape Specification GLS_020_170_P1_1801.
- Landscape Management Plan GLS_020-170_P1_1802; and
- Tree Protection Plan 24113-5.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1, QE SP1 and T SP1,

- 2 Before any machinery is introduced to the site or construction work takes place, a brief written report (with supporting photographic evidence) is required from the Arboricultural Consultant representing the site owner(s), confirming and demonstrating that all ground protection and protective fencing has been assessed and is 'Fit for Purpose' as required under British Standard 5837:2012 and been erected and positioned exactly as shown on the Tree Protection drawing, plan ref: 24113-5

Reasons: To comply with BS5837:2012 and ensure the retention and maintenance of trees and vegetation which are an important feature of the area, in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as the protection and retention of trees goes to the heart of the planning permission.

- 3 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the "Lighting and Reptile strategy addendum" (31/01/22), "Mitigation Method Statement" (04/11/24) and "Land adjacent to Woodgate Nurseries, Woodgate, West Sussex: Updated Walkover Survey in relation to Bats and Reptiles (12/05/25) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

This shall include the appointment of an appropriately competent person e.g., an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended), s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats & species), and Arun Local Plan policy ENV SP1.

- 4 All activity at the site is to be carried out in strict accordance with the submitted "Arboricultural Impact Appraisal and Method Statement" by Barrell Tree Consultancy (14/04/24, ref 24113-AIA5-PB), the accompanying "Tree Protection Plan" (Barrell Plan Ref: 24113-5) and Barrell's "Manual for Managing Trees on Development Sites". The applicant should pay special attention to the Site

Guidance Notes referred to in this document and on the Tree Protection Plan.

Reason: To comply with BS5837:2012 and 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 in accordance with Arun Local Plan policies ENV DM4 and D DM1.

- 5 No development above damp proof course (DPC) level shall take place until full details of the proposed in-curtilage cycle stores/spaces/garage racks for those dwellings which do not benefit from a communal store have been submitted to and approved in writing by the Local Planning Authority and the relevant houses shall not be occupied until the approved cycle storage sheds/spaces/racks associated with them have been erected/provided. These cycle storage spaces shall thereafter be permanently retained and maintained.

Reason: To provide alternative travel options to the use of the car in accordance with Arun Local Plan policies T SP1 and T DM1. The application states cycle parking for the houses will be provided within sheds in the rear of each garden or in a garage but there is no detail of the sheds or storage racks.

- 6 None of the dwellings shall be occupied unless and until full details of the proposed public play provision and associated management arrangements have been submitted to and approved in writing by the Local Planning Authority. The detailed design shall include the equipment mix to be provided to encourage all relevant ages and abilities to enjoy the areas safely. It should detail how each area is inclusive and accessible. It should include a range of play experiences such as natural play space, swinging, spinning, climbing, bouncing and sensory provision. Details shall be provided on the robustness of materials to be used, their life expectancy, types of safety surfacing and whether fencing and gates are proposed. Detail should also be provided on the ancillary items to be provided such as number and location of bins, seating areas, bike storage and boundary treatments. The play provision shall thereafter be implemented in accordance with the details as agreed through the discharge of condition (or any subsequent variation application) prior to occupation of the 47th dwelling and permanently retained thereafter. The approved details shall then be permanently adhered to.

Reason: To ensure that play provision is in place for residents and that a management regime is established in accordance with Arun Local Plan policy OSR DM1.

- 7 No more than 46 of the dwellings hereby approved shall be occupied unless and until the applicant/developer supplies a certificate confirming the agreement of the Royal Society for the Prevention of Accidents (RoSPA) for the proposed LEAP and LAP play areas on the north-western side of the proposed drainage attenuation pond. The submission shall include details of any physical changes, if necessary, for approval in writing by the Local Planning Authority prior to occupation.

Reason: In the interests of amenity and safety in accordance with Arun Local Plan policies D DM1 and OSR DM1.

- 8 Prior to the occupation of the development hereby approved, full details of all new external lighting (including type of light appliance, the height and position of fitting, predicted illumination levels and light spillage) shall be submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (GN01:2011) and GN08 2023. "Bats and Artificial Lighting at Night" but also:

1. Identify those areas/features on site that are particularly sensitive for bats or that are likely to cause disturbance in or around their breeding sites and resting places or along important routes

used to access key areas of their territory, for example, for foraging; and

2. Show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

The recommended lighting specification shall use LED's (at 3 lux) with the recommended spectrum being 80% amber and 20% white (The recommended Kelvin level is 2700) with a clear view, no UV a horizontal light spread of less than 70 degrees and a timer. A 3D plan of the illumination level should be supplied so that the Local Planning Authority can assess the potential impact on protected species.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: Column lighting has been proposed but this is inappropriate having regard to the dark skies policy and the type of lighting agreed on the nearby Wings Nursery and Lees Yard residential developments. 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 and within the local night sky in accordance with Arun Local Plan policies QE SP1, QE DM2, T SP1 & ENV DM5 and Aldingbourne Neighbourhood Development Plan Policy EH10.

- 9 All proposed bathroom/en-suite/toilet windows shall be glazed at all times with obscured glass to a level equivalent to Pilkington Level 3 or nearest equivalent standard. In addition, the first floor en-suite window within the eastern flank of plot 69 shall be non-openable below 1.7m above finished floor level. These arrangements shall be permanently retained thereafter.

Reason: To protect the amenities and privacy of existing and future residential occupiers in accordance with Arun Local Plan policies D DM1 and QE SP1.

- 10 Notwithstanding the provisions of Parts 1 & 20 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (as amended) (or any Order revoking or re-enacting this Order) no future dormer/roof extensions/roof alterations to plots 30, 39, 40, 51, 52, 53, 54, 55, 58, 63, 64, 65, 66, 67, 68 or 69 as approved shall be constructed unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To maintain adequate interface standards to the existing dwellings bordering the site area and minimise any future loss of privacy due to windows added at 3rd storey level in accordance with Arun Local Plan policies D DM1 and QE SP1.

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 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: This permission does not formally discharge any of the drainage conditions imposed on the outline planning permission and separate applications will be required to discharge these. In addition, the applicant should note that this layout has been approved without agreement of WSCC Drainage Engineers and therefore if it subsequently becomes clear that the drainage conditions cannot be agreed due to the layout not providing sufficient space for drainage then a new reserved matters application will need to be submitted as the Local Planning Authority will not be able to agree such changes through the Non-Material Amendment process. Please also note that any future submission to seek a discharge of the drainage conditions must be accompanied by full details in accordance with the guidance and checklist here <https://www.arun.gov.uk/surfacewater>.

INFORMATIVE: All other conditions on the outline that require approval in writing will require separate applications to be submitted to discharge these conditions.

INFORMATIVE: In the interests of crime prevention and deterrence, the development should incorporate security measures in accordance with the consultation advice of Sussex Police (dated 14/01/25) as available on the council's website.

INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981 (as amended), with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.

INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.

INFORMATIVE: Local residents have suggested that there is Japanese Knotweed present in the northern area of the site. The applicant/developer should investigate this and if this is present seek appropriate advice and take the necessary steps to ensure its permanent removal and safe disposal. Please see <https://www.gov.uk/guidance/prevent-japanese-knotweed-from-spreading>.

A handwritten signature in black ink, consisting of stylized, cursive letters, likely representing the initials 'ML'.

Neil Crowther
Group Head of Planning

Case Officer: Mr S Davis

Decision Issued: **11th June 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

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).