

DECISION NOTICE

Application Ref: AL/66/21/PL

1 To Addressee

H J Concepts Ltd
Suite A 2nd Floor Rear
Trinity Court
2-4 West Street
Fareham
PO16 0BH

2 Site Address

Land Rear (South) of Sundown
Littleheath Road
Aldingbourne
BN18 0SR

3 Description of Development

1 No. 4 bedroom detached dwelling with a detached 3 bay garage (2 open bays and 1 enclosed), associated foul field drain, storm soakaway, new front boundary treatment, roof mounted PV & Ground Source Heat pump System (resubmission following AL/62/19/PL). This site is in CIL Zone 3 and is CIL Liable as new dwelling.

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:

Dwg No 17-1197-PL401, Rev A, Proposed Side Plan/Location & Block Plan;
Dwg No 17-1197-PL402, Rev A, Plans and Elevations;
Dwg No 17-1197-PL403, Rev A, Detached Garage, Plans, Elevations and Section;
Supporting Design & Access Statement (DAS) submitted on 3rd June 2021.

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 The dwelling shall not be occupied 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, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended 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 satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

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

Reason: To provide car-parking space for the use and in accordance with policy T DM1 of the Arun Local Plan.

- 5 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with approved plans. The facilities shall thereafter be retained in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with policies T SP1 of the Arun Local Plan.

- 6 No part of the development shall be first occupied until a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved dwellings have been implemented in accordance with the approved details and the charge points shall thereafter be permanently retained and maintained in good working condition.

Reason: New petrol, diesel and hybrid cars/vans will not be sold beyond 2035, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun Parking Standards SPD and the National Planning Policy Framework.

- 7 No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled "Proposed Site Plan" and numbered "17-1197 - PL401".

Reason: In the interests of road safety and in accordance with policy T SP1 of the Arun Local Plan.

- 8 Construction/demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no works taking place on Sunday or Bank Holidays unless they are not audible outside of the application site.

Reason: To protect the amenity of local residents in accordance with policies QE SP1 and QE DM1 of the Arun Local Plan

- 9 Before the site is occupied or any machinery is introduced to the site or demolition work or

construction work or alterations to existing ground levels takes place a PRE-COMMENCEMENT Site Meeting is to take place between the Planning Authority's Tree Officer and the Arboricultural Expert representing the site owner(s) or Site Manager - at this meeting all protective fencing will be inspected to verify it is 'Fit for Purpose' as required under British Standard 5837:2012 and has been erected and positioned exactly as shown on the Tree Protection Plan (Appendix 2), ref. B/0301/21 v3.

Reason: To 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.

- 10 All activity at the site is to be carried out in strict accordance with: - Arboricultural Report, ref. B/0301/21, January 2021 and Addendum to Arboricultural Report, ref. B/0301/21 (addendum), May 2021, from Beechdown Arboriculture Ltd.

Reason: To comply with BS5837 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.

- 11 Details of the proposed landscape provision should be submitted for approval. The opportunity to increase the biodiversity of the site and potential screen the proposals should also be considered. Any trees and shrubs specified should be at a size which allows instant impact, but which will establish and mature as the site develops. Landscape details will be required to be submitted in plan form detailing species choice, quantities, planting densities and size at time of planting. The details so approved shall be implemented prior to the occupation of the approved dwelling.

Reason: In accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

- 12 Prior to its installation, full details of any external lighting together with their mechanisms and timings of operation shall be submitted to and approved in writing by the Local Planning Authority. The use of timed black out blinds and/or low transmission glazing is required for all roof lights due to the biodiversity sensitivities of the site and not disturb or harm wildlife, given the priority woodland habitat. The lighting shall be installed in strict accordance with the approved details and shall thereafter be maintained and operated in accordance with those details. No other external lighting shall be installed on the site.

Reason: To control the residential amenities of the local environment in accordance with Arun Local Plan policies QE SP1, QE DM2, D DM1 and ENV DM5.

- 13 The solar PV panels and ground source heat pump described in the application and indicated on the drawings hereby permitted shall be provided and operational prior to the occupation of the dwelling hereby permitted and shall thereafter be maintained as such.

Reason: In order to secure on site renewable energy in accordance with national planning policy, and in accordance with Policy ECC SP2 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 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: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm event plus 40% on stored volumes/rainfall intensity (allowance for climate change) between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year storm event plus 40% on stored volumes/rainfall intensity. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located at <https://www.arun.gov.uk/drainage-planning-consultations> on Arun District Council's website. A surface water drainage checklist is available on Arun District Council's website, this should be submitted with a Discharge of Conditions Application.

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: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, 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: The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted.

Additional information about the licence application process can be found at the following web page: <https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>

Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/>

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: Ms M Tomalova

Decision Issued: **4th October 2021**

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).