

DECISION NOTICE

Application Ref: AL/31/22/PL

1 To Addressee

Smith Simmons & Partners
32 North Street
Chichester
PO19 1LX

2 Site Address

Ryefields Farmhouse
Oak Tree Lane
Woodgate
PO20 3GU

3 Description of Development

Demolition of existing building and erection of 4 no. houses with associated access, landscaping, parking and associated works. This site falls within Strategic Site SD5, CIL Zone 1 (zero rated).

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 compliance with the following conditions and Section 106 Agreement.

- 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 and documents:

Block Plan DP301 Rev 02
Location and Context Plan DP300 Rec 02
Sustainability and Biodiversity Plan - DP311 Rev 03
Proposed Site Plan DP0302 Rev 3
Floor Plan Plot 3 and 4 - DP307 Rev 02
Floor Plan Plot 2 DP305 Rev 03
Floor Plan Plot 1 DP303 Rev 02
Existing and Proposed Sections and Finished Floor/Site Levels DP310 Rev 02
Proposed Street Elevation DP309 Rev 02
Proposed Elevation D306 Plot 2 Rev 02

Proposed Elevation Plot 3 and 4 D308 Rev 01
Proposed Elevation Plot 1 D304 Rev 02
Tree Retention and Protection Plan LLD2289-ARB-DWG-002 Rev 06
Ecological Impact Assessment September 2021 Rev 01
Arboricultural Impact Assessment and Method Statement September 2021 LLD2289-ARB-REP-001 Rev 05

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 No development (including demolition) shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no work on Sunday or Bank/Public Holidays. In addition, there shall be no external working an hour before, during and an hour after sunset and sunrise even if those times fall within the above time periods.

Reason: In the interests of neighbour amenity and to ensure adequate mitigation for bats in line with the HRA Appropriate Assessment.

- 4 No development shall be permitted beyond damp proof course until a schedule and sample of all materials and finishes to be used for external walls, and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority. A 'statement of detail' shall be submitted setting out details of proposed windows and doors, details of the depth of recess/reveal from the brickwork, sills and lintels, brick bonding, brick detailing, eaves detailing and rainwater goods. The materials and 'statement of details' so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in the interests of amenity by endeavouring to achieve buildings of visual quality in accordance with policies D DM1/D DM4 of the Arun Local Plan.

- 5 Development shall not commence, other than works of site survey and investigation, 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. Where the design of the surface water drainage scheme relies on an adjacent development, a Deed of Easement detailing agreement of taking such drainage shall also be provided as part of the required details. 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 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.

- 6 In the instance that the approved drainage design permitted under condition 5 requires drainage discharge into a nearby approved development (AL/107/21/PL or another approved permission), commencement of this development shall not be allowed until the delivery of the drainage system in the adjacent land is fully implemented and operational.

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.

- 7 Development shall not commence until full details of the maintenance and management of the

surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that the future maintenance and funding arrangements for the surface water disposal scheme are agreed before construction commences.

- 8 Prior to the commencement of the development, details of all hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy D DM1 and ENV DM4 of the Arun Local Plan.

- 9 Prior to the commencement of the development, including any works of demolition, a Construction and Biodiversity Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- The anticipated number, frequency and types of vehicles used during construction.
- The method of access and routing of vehicles during construction.
- The parking of vehicles by site operatives and visitors.
- The loading and unloading of plant, materials and waste.
- The storage of plant and materials used in construction of the development.
- The erection and maintenance of security hoarding.
- The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders).
- Risk assessment of potentially damaging construction activities.
- Identification of "biodiversity protection zones".
- Practical measures (both physical and sensitive working practices) to avoid or reduce impacts on bats during construction (may be provided as a set of method statements).
- The location and timing of sensitive works to avoid harm to biodiversity features.
- The time during construction when specialist ecologists need to be present on site to oversee works.
- Responsible persons and lines of communication.
- Use of protective fences, exclusion barrier and warning signs.

Reason: In the interests of highway safety and the amenities of the area.

- 10 Prior to the commencement of development, a strategy for the provision or facilitation of broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a broadband service to that

dwelling from a site-wide network, is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site shall be carried out in accordance with the approved strategy.

Reason: To ensure that the needs of future residents to connect to the internet does not necessarily entail engineering works to an otherwise finished and high quality living environment in accordance with policy TEL DM1 of the Arun Local Plan.

- 11 No part of the development shall be first occupied until visibility splays of 2.0m by 23m to the east and 2.0m by 15m to the west have been provided at the proposed site vehicular access onto Oak Tree Lane in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of highway safety

- 12 Prior to the occupation of each individual dwelling, a minimum of 1 no. Electric Vehicle Charging point per dwelling will be constructed in accordance with approved Block Plan - DP302 Rev 2. 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.

- 13 Prior to the occupation of each individual dwelling hereby permitted, the solar panels shall be constructed and in full working order. The solar panels shall be retained in perpetuity unless otherwise agreed by the Local Planning Authority.

Reason: In order for the development to accord with Policy ECC SP2 of the Arun Local Plan.

- 14 Prior to occupation of the first dwelling, details of any external lighting, including domestic and security lighting, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be installed upon completion of the development and shall remain in perpetuity.

Reason: In order to ensure that the integrity of the SAC is retained in accordance with the conclusions of the Appropriate Assessment, and Policies ENV SP1, ENV DM1 of the Arun Local Plan.

- 15 Prior to occupation, details of covered and secure cycle parking spaces shall be submitted and approved in writing by the Local Planning Authority. No individual dwelling shall be occupied until cycle spaces have been constructed in accordance with the approved details. The cycle parking shall thereafter remain in perpetuity.

Reason: To provide alternative and sustainable travel options in accordance with policies T DM1 of the Arun Local Plan.

- 16 No individual dwelling shall be occupied until the car parking and associated turning area serving the respective dwelling 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.

- 17 No individual dwelling hereby approved shall be occupied until the optional requirement for restricted water consumption in Part G of the Building Regulations as demonstrated through the water calculator has been complied with for that dwelling.

Reason: To improve the sustainability of the dwellings in accordance with policy W DM1 and ECC SP1 of the Arun Local Plan.

- 18 No dwelling shall be occupied until the footway as shown on drawing no. 1324 DPP302 Rev 03 Roof / Site Plan has been constructed and connected with the existing footway present to the south of Oak Tree Lane.

Reason: To ensure safe pedestrian access for all users, to and from services, in accordance with policy T SP1, and T DM1 of the Arun Local Plan.

INFORMATIVE: The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

INFORMATIVE: The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.

The applicant is advised that as the estate roads are to remain private/unadopted, the Highway Authority would require provisions in any s106 agreement to confirm that the estate roads would not be offered for adoption at a later date and wording included to ensure that the carriageways, footways and casual parking are properly constructed, surfaced and drained, and that the works are appropriately certified from a suitably qualified professional confirming the construction standard.

INFORMATIVE: If during construction works, it becomes apparent that implementation cannot be carried in accordance with previously agreed details any resubmission of the drainage design must be accompanied by an updated copy of the management manual.

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 infiltration tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method. All design storms must include a climate change allowance, as per <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>, on stored volumes or rainfall intensity. Infiltration structures must cater for the critical 1 in 10 year storm event, (plus40%) between the invert of the entry pipe to the soakaway and the base of the structure. All surface water drainage designs must also have provision to ensure there is capacity in the system to contain the critical 1 in 100 year storm event (plus 45%).

Freeboard is to be provided between the base of the infiltration structure and the highest recorded groundwater level identified in that location. Ideally this should be 1 metre where possible, as stated in the CIRIA Suds Manual guidance. However, on the coastal plain in particular, where geology dictates and where shallow perched/tidally influenced water tables are often present, this is unlikely to be achievable irrespective of this, infiltration must still be fully considered. Therefore, to maximise this potential and avoid utilising other less favourable methods of surface water disposal, the bases of infiltration structures are permitted to be immediately above the peak recorded groundwater levels where it is deemed necessary.

In areas where an aquifer is to be protected (subject to guidance from the Environment Agency) then a minimum 1 metre freeboard must be provided.

Suitable water treatment is required upstream to the point of discharge in all circumstances to minimise any groundwater pollution risk or detriment to the drainage network.

Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest groundwater table in support of the design. The applicant is advised to discuss the extend of ground water 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. Reference should also be made to the 'West Sussex LLFA Policy for the Management of Surface Water'.

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.



Neil Crowther
Group Head of Planning

Case Officer: Jessica Riches
Decision Issued: 17th November 2023

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).