

DECISION NOTICE

Application Ref: AL/87/21/PL

1 To Addressee

DWD
6 New Bridge Street
London
EC4V 6AB

2 Site Address

Oldlands Farm
Newlands Road
Bognor Regis
PO22 9FJ

3 Description of Development

Erection of a warehouse (Use Class B8) with ancillary office, associated vehicle parking, van storage, plant, ancillary structures, lighting landscaping and infrastructure works including earthworks to facilitate flood compensation area. This site may affect listed buildings, may affect the character & appearance of the Shripney Conservation Area, is a Departure from the Development Plan, affects a Right of way & is in CIL Zone SP3 (Zero Rated) as other development.

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:

21023-ASA-V0-XX-DR-A-PL01-(S2-P4) Site Location Plan
21023-ASA-V0-XX-DR-A-PL03-(S2-P7) Proposed Site Plan
21023-ASA-V1-P0-DR-A-PL04-(S2-P5) Proposed Warehouse Ground Floor Plan
21023-ASA-V1-P1-DR-A-PL05-(S2-P6) Proposed Warehouse First Floor Plan
21023-ASA-V1-P2-DR-A-PL06-(S2-P5) Proposed Warehouse Plant Deck
21023-ASA-V1-P3-DR-A-PL07-(S2-P6) Proposed Warehouse Roof Plan
21023-ASA-V1-XX-DR-A-PL08-(S2-P6) Proposed Warehouse Elevations

21023-ASA-V1-XX-DR-A-PL09-(S2-P6) Proposed Warehouse Deck Sections
 21023-ASA-V2-V0-DR-A-PL10-(S2-P5) Proposed Van Deck GF Plan
 21023-ASA-V2-XX-DR-A-PL11-(S2-P5) Proposed Van Deck Upper Levels
 21023-ASA-V2-XX-DR-A-PL12-(S2-P7) Proposed Van Deck Elevations
 21023-ASA-V2-XX-DR-A-PL13-(S2-P4) Proposed Van Deck Sections
 21023-ASA-V0-XX-DR-A-PL14-(S2-P8) 3D Views
 21023-ASA-V0-XX-DR-A-PL15-(S2-P7) Proposed Site Sections
 21023-ASA-XX-XX-DR-A-PL17-(S2-P1) Flood Compensation Area
 21023-ASA-V0-XX-DR-A-PL20-(S2-P1) Proposed Boundary Details
 21023-ASA-XX-XX- DR-A-PL16-(S2-P5) 3D Street Views
 21023-ASA-XX-XX- DR-A-PL18-(S2-P5) Proposed Block Plan
 21023-ASA-V0-XX- DR-A-PL21-(S2-P5) Proposed Ancillary Structures Sheet 1
 21023-ASA-V0-XX- DR-A-PL22-(S2-P5) Proposed Ancillary Structures Sheet 2
 21023-ASA-V0-XX- DR-A-PL23-(S2-P5) Proposed Sprinkler Tanks and Pump House
 21023-ASA-V0-XX- DR-A-PL24-(S2-P4) Proposed Waste Platform
 21023-ASA-V0-XX- DR-A-PL25-(S2)-Proposed Guard Shack

Preliminary Geo- Environmental Assessment (Delta Simons) (September 2021)
 Geo- Environmental Assessment (Delta Simons) (September 2021)
 External Lighting Lux Levels Plot (10383-PL-100E) (KTA)
 SK-100A Hydrant Main and Pits Location Layout (KTA)
 Built Heritage Statement (RPS) (August 2021)
 Flood Risk Assessment (Delta Simons) (September 2021)
 Arboricultural Impact Assessment (Delta Simons) (September 2021)
 Arboricultural Method Statement (Delta Simons) (September 2021)
 Foundations Work Risk Assessment (Delta Simons) (September 2021)
 Ecological Appraisal (Delta Simons) (November 2021)
 Biodiversity Net Gain Metrics (Delta Simons)
 Landscape and Visual Appraisal Report (Enplan) (September 2021)
 Landscape Management Plan (Enplan) (September 2021)
 Landscape Planting Plan 05-991-701 Rev E (Enplan)
 Air Quality Dust Management Plan (TetraTech) (September 2021)
 Air Quality Impact Assessment (TetraTech) (May 2021)
 Transport Emissions Mitigation Plan (TetraTech) (September 2021)
 Construction Environmental Management Plan (November 2021) (ISG)
 Archaeological Written Scheme of Investigation (RPS) (September 2021)
 Transport Assessment (Vectos) (September 2021)
 Employment and Skills Plan (DWD Ref 150160a)
 IGS Social Value Plan (November 2021)
 Archaeological Evaluation Report (RPS/ PCA November 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 Construction Environmental Management Plan (November 2021) (ISG) shall be implemented and adhered to throughout the entire construction period.

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

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

Reason: To provide car-parking and cycle storage spaces for the use and in accordance with

policies T SP1 and T DM1 of the Arun Local Plan.

- 5 No part of the development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport and in accordance with policy T DM1 of the Arun Local Plan.

- 6 No part of the development shall be first occupied until photovoltaic panels, as set out in the Energy and Sustainability Statement (GAW/10383/ENE-01 Iss 02, 10/05/21) have been installed and are in working order. The installed photovoltaic panels will be maintained in working order thereafter.

Reason: To ensure that the renewable energy resources are implemented on the site, in accordance with policy ECC SP2 of the Arun Local Plan.

- 7 Prior to first use of the proposed development, the active electric vehicles charging points, as illustrated on the Proposed Block Plan 21023-ASA-XX-XX- DR-A-PL18-(S2-P5), shall be installed. The charge points shall thereafter be retained and maintained in good working condition. Prior to first use of the proposed development the passive electric vehicle charging infrastructure for the van storage facility, as shown on the Proposed Van Deck GF Plan 21023-ASA-V2-V0-DR-A-PL10-(S2-P5) and Proposed Van Deck Upper Levels 21023-ASA-V2-XX-DR-A-PL11-(S2-P5) shall be installed to facilitate the future provision of active charging points when required.

Reason: New petrol/ diesel cars/ vans will not be sold beyond 2030, 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 and the Arun Parking Standards SPD 2020.

- 8 Prior to any site clearance or works using machinery a site meeting is to take place between the Local Planning Authority Tree Officer and the Arboricultural Expert appointed to oversee works. At this meeting all protective fencing will be inspected to verify that it is 'Fit for Purpose' as required as required under British Standard 5837:2012 and has been erected and positioned exactly as shown on the Tree Protection Plans, 20-1543.05, Figs 2a, 2b and 2c.

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.

- 9 All activity at the site is to be carried out in strict accordance with the Arboricultural Method Statement (for Enabling and Construction Phases of Work), Delta-Simons Project No 21-1543-05, September 2021.

If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/ Zones, then prior to their installation a Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced on site.

Reason: To comply with BS5837 and to ensure that retained trees are protected such that there ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area.

- 10 The LAeq noise levels from fixed building services plant shall be no more than 74.6 dB(A) at 1m

distance or 55.0 dB (A) at 3m distance in accordance with 'Oldlands Farm, Newlands Road, Bognor Regis Noise Assessment: 784-B027957.

Reason: To protect the amenity of local residents and adjacent businesses in accordance with policy QE DM1 of the Arun Local Plan.

- 11 Prior to the occupation of the warehouse, the ecological enhancements to achieve Biodiversity Net Gain, set out in the Ecological Appraisal (November 2021) shall be complied with in full. The enhancement measures shall thereafter be implemented in accordance with the timings identified within the scheme and retained and thereafter maintained as fit for purpose.

Reason: to ensure that a satisfactory balance is achieved between development of the site and to achieve Biodiversity Net Gain, in accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

- 12 No development shall take place unless in complete accordance with the mitigation and protection measures for reptiles, bats, birds, badgers, otter and hedgehogs set out in the Ecological Appraisal (November 2021). The approved mitigation and protection measures shall thereafter be implemented in accordance with the timings identified within the Ecological Appraisal and shall be retained and thereafter maintained as fit for purpose.

Reason: to ensure that a satisfactory balance is achieved between development of the site and the protection of nature conservation interests in accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework. It is considered necessary for this to be a pre-commencement condition because the commencement of development could result in harm to any wildlife living within the site area.

- 13 No construction related activity shall take place within the 10 metre protected buffer shown on plan Ditch 7- Buffer Protection Zone reference PL27-(A1-P1) unless and until a check for water voles has been completed by a qualified ecologist. In the event that water voles are found on site, then the applicants shall provide a mitigation strategy to the Local Planning Authority for approval in writing.

Reason: To safeguard water voles in accordance with Policy ENV DM5 of the Arun Local Plan and the National Planning Policy Framework. It is considered necessary for this to be a pre-commencement condition because the commencement of development could result in harm to any water voles living within the site area.

- 14 No development including site access, demolition or associated construction activities, shall take place on the site unless a check for skylark nests on the ground has been completed by a qualified Ecologist. In the event that a nest is identified, works will be required to stop until a 10m radius around the nest has been screened off from construction. Any works within this area will only be permitted to continue after the chicks have fledged.

Reason: to ensure the protection skylarks in accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework. It is considered necessary for this to be a pre-commencement condition because the commencement of development could result in harm to any skylarks and their nests within the site area.

- 15 No development including site access, demolition or associated construction activities, shall take place on the site unless and until a badger survey has been undertaken in order to ensure that badgers are not using the site. If a badger sett is found on the site, then the applicants shall provide a mitigation strategy to the Local Planning Authority for approval in writing to be determined in consultation with Natural England.

Reason: To safeguard resident badgers in accordance with policy ENV DM5 of the Arun Local

Plan and the National Planning Policy Framework. It is considered necessary for this to be a pre-commencement condition because the commencement of development could result in harm to any badgers living within the site area.

- 16 The development shall not be occupied until the soft landscaping shown on Landscape Planting Plan 05-991-701 Rev E (Enplan) has been planted and the green wall installed. In the event that any trees, shrubs or plants die or become seriously damaged or diseased within a period of 5 years following planting they shall be replaced in the next planting seasons with others of similar size and species. The management and maintenance of the soft landscaping and green wall shall be in accordance with the Landscape Management Plan (Enplan) (September 2021).

Reason: In the interests of the amenity of the locality in accordance with policies ENV DM4 and ENV DM5 of the Arun Local Plan.

- 17 Prior to the commencement of construction works details of a proposed foul drainage system shall be submitted to and approved in writing by the Local Planning Authority (including details of its siting, design and subsequent management / maintenance) and no part of the development shall be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details. The occupation of the development is to be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate waste water network capacity is available to adequately drain the development.

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul sewerage in accordance with policies W DM1 and W DM3 of the Arun Local Plan.

- 18 Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained 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.

- 19 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. 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 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.

- 20 The development shall not proceed until details have been submitted to and approved in writing by the Local Planning Authority for any proposals: to discharge flows to watercourses; or for the

culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values and in accordance with current policies. No construction is permitted, which will restrict current and future landowners from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site.

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. And 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. It is considered necessary for this to be a pre-commencement condition to protect existing watercourses prior to the construction commencing.

- 21 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.

- 22 The development shall be carried out in accordance with the Flood Risk Assessment (Delta Simons) (September 2021) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 3.65 metres above Ordnance Datum (AOD).
- Compensatory storage shall be provided on the North of the site as shown in the contour map 21023-ASA-XX-XX-DR-A-PL17-(S2-P1) Flood Compensation Area.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants. The prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

- 23 Prior to the first occupation of any unit forming part of the proposed development the required fire hydrants shall be installed in the approved location as shown on 'Hydrant Mains and Pits Location Layout 10383-SK-100-Rev A' to BS 750 standards or stored water supply and the applicant/ developer shall arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposed of firefighting.

The fire hydrants shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner/occupier if the installation is retained as a private network.

Reason: In the interests of amenity and in accordance with policy INF SP1 and T SP1 of the Arun Local Plan and in accordance with The Fire & Rescue Service Act 2004.

- 24 Within 6 months of commencement of the flood compensation area a restoration scheme

requiring such steps as may be necessary to bring the land to the required standard for the use as agriculture shall be submitted to the Local Planning Authority for approval. The approved restoration scheme shall be implemented in its entirety prior to the occupation of any employment units hereby approved.

Reason: In the interests of proper restoration of the site and in order to ensure that the site can continue to be used for agricultural purposes in accordance with SO DM1 of the Arun Local Plan.

- 25 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, as statement to this effect must be submitted in writing to the Local Planning Authority.

Reason: To protect the amenity of local residents in accordance with policy QE DM4 of the Arun Local Plan.

- 26 The development shall be carried out in accordance with the mitigation measures set out in the Air Quality Impact Assessment (TetraTech) May 2021), the Air Quality Dust Management Plan (TetraTech) (September 2021) and the Transport Emissions Mitigation Plan (TetraTech) (September 2021).

Reason: To minimise the detrimental impacts to air quality in accordance with policy QE SP1 of the Arun Local Plan.

- 27 The development shall be carried out in accordance with the External Lighting Strategy Report (April 2021) and the External Lighting Lux Level Plot (10383-PL-100E) (KTA). The approved lighting system shall be implemented on site prior to first occupation and be retained thereafter.

Reason: To protect local residents and the wider environment in accordance with policy QE SP1 of the Arun Local Plan.

- 28 The objectives of the Employment and Skills Plan (DWD Ref 150160a) and ISG Social Value Plan (4 November 2021) shall be promoted by the applicant throughout the construction and operation of the development.

Reason: In order to ensure that local people have the best opportunity to access new jobs created in accordance with Policy SKILLS SP1 of the Arun Local Plan.

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: Under Section 23 of the Land Drainage Act 1991 Land Drainage Consent must be sought from the Lead Local Flood Authority (West Sussex County Council), or its agent (Arun District Council land.drainage@arun.gov.uk), prior to starting any works (temporary or permanent) that affect the flow of water in an ordinary watercourse. Such works may include culverting, channel diversion, discharge of flows, connections, headwalls and the installation of trash screens.

The development layout must take account of any existing watercourses (open or culverted) to ensure that future access for maintenance is not restricted. No development is permitted within 3m of the bank of an ordinary watercourse, or 3m of a culverted ordinary watercourse.

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: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.

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: Network Rail - the applicants are requested to engage with Network Rail's Asset Protection and Optimisation (ASPRO) team prior to works commencing. This will allow the ASPRO team to review the details of the proposal to ensure that the works can be completed without any risk to the operational railway. The applicants may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works. The applicant must also follow the Asset Protection Informatives set out in the Network Rail consultation response to this planning application dated 7th September 2021.

INFORMATIVE: Your attention is drawn to the provisions of the Countryside and Rights of Way Act 2000 and Wildlife and Countryside Act 1981 (as amended) and in particular to Sections 1 and 9.

These make it an offence to:

- kill or injure any wild bird,
- damage or destroy the nest of any wild bird (when the nest is being built or is in use),
- damage or destroy any place which certain wild animals use for shelter (including all bats and certain moths),
- disturb certain wild animals occupying a place for shelter (again, all bats and certain moths).

The onus is therefore on you to ascertain whether such birds, animals or insects may be nesting or using the tree(s), the subject of this consent, and to ensure you do not contravene the legislation. This may, for example, require delaying works until after the nesting season for birds. The nesting season for birds can be considered to be March to September. You are advised to contact Natural England for further information (tel: 0845 601 4523).

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: Should any protected species or evidence of any protected species be found prior to or during the development, all works must stop immediately and an ecological consultant or the Local Planning Authority Ecologist contacted for further advice before works can proceed. All contractors working on site should be made aware of this advice and provided with the contact details of a relevant ecological consultant.

INFORMATIVE: Advice from Environment Agency.

Culverting Consent: Erection of flow control structures or any culverting of an ordinary watercourse requires consent from the Lead Local Flood authority. It is best to discuss proposals for any works with them at an early stage.

Signing up for flood warnings: The application/ occupants should phone Floodline on 0345 988 1188 to register for a flood warning.

INFORMATIVE: Advice from Natural England:

It is recommended that the guidance in relation to soils set out in the Defra 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites' is followed.



Neil Crowther
Group Head of Planning

Case Officer: Mr D Easton

Decision Issued: **9th August 2022**

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).