



Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management
Procedure) (England) Order 2015
Application for Planning Permission
DECISION NOTICE

Application Ref: AW/198/18/PL

1 To Addressee

Appleton Town Planning
 31 Eastcourt Road
 Worthing
 West Sussex
 BN14 7DA

2 Site Address

Land Between 8 And 12
 Wychwood Close

 PO21 4DW

3 Description of Development

Erection of 1 No. 4 bed dwelling, formation of new access & felling of 4 No. trees to the rear of the site. This application affects the character & appearance of the Craigweil House Conservation Area.

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/documents:
- 1685-1.01 Rev A "Site Survey";
 1685-2.01 Rev A "Site Plan, Block Plan, Location Plan";
 1685-2.02 Rev C "Proposed Plans and Elevations";
 TPP01 "Tree Protection Plan" (June 2018); and
 The list of materials as included in emails from Dawn Appleton dated 10/10/18 & 28/11/18.
- Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and HER DM3 of the Arun Local Plan.
- 3 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, the Arun DC Tree Officer must have the opportunity to inspect all protective fencing to verify it is 'Fit for Purpose' as required under British Standard 5837:2012 and has been erected and positioned exactly as shown/described on the Tree Protection Plan, dwg.no. TPP 01, dated June 2018.
- Reason: To comply with BS5837, policy ENV DM4 of the Arun Local Plan and the National Planning Policy Framework 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.
- 4 The balcony hereby approved shall not be used until the 1.7m high non-reflective obscure glazed glass side screen has been installed to its eastern side. This screen shall thereafter be permanently retained in perpetuity.
- Reason: In the interests of amenity and privacy in accordance with policy D DM1 of the Arun Local Plan.
- 5 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 to the Local Planning Authority and this shall stipulate how this can be achieved without adverse impact on tree roots. No development of any such utility service route connections will then commence unless and until written approval has been obtained from the local planning authority.
- Reason: To comply with BS5837, policy ENV DM4 of the Arun Local Plan and the National Planning Policy Framework 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.

- 6 The first floor bathroom and landing windows on the eastern and western elevations of the building shall at all times be glazed with obscured glass and fixed shut up to 1.7m from the floor level.

Reason: To protect the amenities and privacy of the adjoining properties in accordance with policy D DM1 of the Arun Local Plan.

- 7 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no alterations or extensions to the roof of the dwelling house (including dormer window extensions) shall be constructed unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the character and appearance of the Conservation Area and the privacy and amenity of adjacent occupiers in accordance with policies D DM1 and HER DM3 of the Arun Local Plan.

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.

INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to a financial contribution of £871 towards the Pagham Harbour Access Management Mitigation Measures.

INFORMATIVE: Drainage Engineers advise that there may be a culverted ordinary watercourse present along the rear site boundary and the applicant should note that if anything is discovered whilst carrying out site works they should contact the Councils Drainage Engineers directly. Please also note that no building should be located over or within 3m of an ordinary watercourse.

INFORMATIVE: The applicant has indicated their agreement to plant a new tree to replace the Red Oak that was previously situated on the verge outside of the application site. This tree should be planted in the same place or within 4m of the previous position. The tree should be of standard nursery stock proportions (Extra Heavy Standard 14-16cm girth & 3m to 4m overall height), supported on a 'short stake' system with appropriate securing ties & pads, and ideally selected from either Red oak (*Quercus rubra*) or Sweet gum (*Liquidambar styraciflua*). This tree shall be planted during the first winter following completion of all construction activity at the site.



Neil Crowther
Group Head of Planning

Case Officer: Mr S Davis

Date of Decision:

10 January 2019

Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against this planning application decision, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and you want to appeal against this planning application decision, then you must do so within 28 days of the date of service of the enforcement notice, or within 12 weeks of the date of this notice, whichever period expires earlier.

Otherwise, if you want to appeal against this decision then you must do so within 6 months of the date of this notice.

Appeals must be using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <http://acp.planninginspectorate.gov.uk>

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

PURCHASE NOTICES

If either the local planning authority or the Secretary of State refused permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park authority for the Park, or in any other case the district council in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town & Country Planning Act 1990.

Please note that this decision notice only relates to matters under the Planning Acts and does not give consent under any other legislation that may apply to the development. You will need to carry out your own checks to determine whether any other consents or permissions are required. For example, the Building Regulations are likely to apply to most developments, and a Highways Licence may be required from West Sussex County Council for any development within the