

DECISION NOTICE

Application Ref: A/179/20/RES

1 To Addressee

Barratt David Wilson Southern
BDW House
Walnut Tree Close
Guildford
GU1 4SW

2 Site Address

Land South of Water Lane
Angmering

3 Description of Development

Approval of reserved matters (appearance, layout, scale and landscaping) following outline consent A/99/17/OUT, for a culverted embankment.

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 drawings and submitted materials:

- Drawing No. 46353-STN-SBR-1772-DR-CB-0010 Rev. P01 - Site Red Line Plan
- Drawing No. 46353/2002/020 Rev. C - General Arrangement
- Drawing No. 46353/2002/021 - Vehicle Swept Path Analysis Duo Recycler
- Drawing No. 46353/2002/022 - Proposed Contours
- Drawing No. 46353/2002/023 - Road Longitudinal and Cross Sections
- Drawing No. 46353-STN-SBR-1772-DR-CB-0006 Rev. P01 - General Arrangement
- Drawing No. 46353-STN-SBR-1772-DR-CB-0011 Rev. P01 - Existing Plan Sections and Levels
- Drawing No. 46353-STN-SBR-1772-DR-CB-0012 Rev. P01 - Proposed Site Sections and Levels
- Drawing No. JBA 19-283 01 Rev. F - Angmering Detailed Planting Plan, Sheet 1
- Drawing No. JBA 18109-SK01 Rev. J - Landscape Masterplan
- Landscape and Ecological Management and Maintenance Plan (November 2020 (Ref. JBA 19/283 Rev. C)
- Arboricultural Impact Assessment AR01 Rev. B (Ref. JBA 19-283).

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Policy D DM1 and Policy D SP1 of the Arun Local Plan.

- 2 Prior to the commencement of development, a scheme to establish who will manage and maintain the culvert associated with this development shall be submitted for approval in writing by the Local Planning Authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing / phasing arrangements, or within any other period as may subsequently be agreed in writing by the Local Planning Authority.

Reason: To ensure the structural integrity of the flood defences and thereby reducing the risk of flooding and to reduce the risk of flooding to the proposed development and future users, in accordance with Policy D DM1 and Policy W DM2 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure there is an adequate maintenance programme in place prior to the adoption of the structure.

INFORMATIVE: The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal);
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal);
- on or within 16 metres of a sea defence;
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert;
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it is a tidal main river) and you do not already have planning permission.

For further guidance please visit <http://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact the Environment Agency's National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and the Environment Agency advises them to consult with them at the earliest opportunity.

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.



Neil Crowther
Group Head of Planning

Case Officer: Michael Eastham

Decision Issued: **5th February 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).