



**Town & Country Planning Act 1990 (as amended)
Town & Country Planning (Development Management
Procedure) (England) Order 2015 - Article 5**

**Application for Planning Permission
DECISION NOTICE**

Application Ref: A/23/15/OUT

1 To Addressee

Mr E Ledwidge
Montagu Evans LLP
5 Bolton Street
London
W1J 8BA

2 Site Address

Land south of New Road (A259)
and East of Brook Lane

3 Description of Development

Hybrid application - Full Planning Permission for a retail unit (Class A1) comprising 1,487sqm (1022sqm ground floor and 465sqm mezzanine) with associated access, car parking, servicing, landscaping & associated works.

Outline Planning Permission for a public house (Class A4) comprising 581sqm at ground floor level - This is a Departure from the Development Plan

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.

The conditions below refer to the 'full' matters within the planning application.

1. In respect of the part of the application granted in Full Permission (Retail unit) 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. In respect of the part of the application granted Full Permission (Retail unit), the development hereby approved shall be carried out in accordance with the following approved plans :

Drawing Number: 1117-P-10 Existing Location
Drawing Number:1117.P-11 Rev E Site Plan
Drawing Number:1117-P-12 Rev A Unit A Floor Plans, Roof Plan and Section
Drawing Number:1117-P-13 Unit A : Elevations
Drawing Number:1117-P-14 Unit A : Elevations
Drawing Number:REDW-3167-138 Highway Access Plan
Drawing Number REDW-3167-111 Rev C Highway Access Plan Off-Site footpath/cyclepath
Drawing Number REDW-3167-130 Off site footpath/cycle path cross sections

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

3. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

Reason: The site is of archaeological significance in accordance with Arun District Local Plan policy HER DM6.This condition is required to be pre-commencement to ensure archaeological work is carried out prior to any other works on site.

4. Development shall not commence 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, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and 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 District Council 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.

5. The development shall not proceed until formal consent has been approved in writing from the Lead Local Flood Authority (WSCC) or its agent (ADC) for the discharge of any flows to watercourses, or the culverting, diversion, infilling or obstruction of any watercourse on the site.

Any discharge to a watercourse must be at a rate no greater than the pre-development run off values.

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 District Council Local Plan.

This is required to be a pre-commencement condition because it is necessary to protect the watercourse on the site.

6. The retail unit shall not be occupied until full details of the maintenance and management of the SuDs 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 manufacturers recommended design life. Upon completed construction of the SuDs System, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure the efficient maintenance and on-going operation of the SuDs system and to ensure the best practice in line with guidance set out in 'The SuDs Manual' CIRIA publication ref: C697 Chapter 22 and 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 District Council Local Plan..

7. No part of the development shall be first occupied until such time that arrangements for the future access and maintenance of any watercourse or culvert (piped watercourse) crossing or abutting the site has been submitted and approved in writing by the Local Planning Authority.

No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities of any watercourse on or adjacent to the site.

Reason: 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.

8. Construction shall not commence until full details of the foul water drainage scheme have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water (including details of its routing, design and subsequent management/ maintenance). The development shall be carried out in accordance with the approved details.

Reason: To ensure suitable foul sewerage water disposal in accordance with policy W DM1 of the Arun District Council Local Plan. This is required to be a prior to construction condition because it is necessary to implement the foul water drainage system prior to commencing construction works.

9. If, during development, contamination not previously identified is found to be present at the site then no further development within the affected area (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To prevent development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution in accordance with the NPPF and policies W DM1, QE SP1 and QE DM4 of the Arun District Local Plan.

10. The development permitted by this planning permission shall be carried out in accordance with the following mitigation measures detailed within the Approved Flood Risk Assessment (FRA) 32447/4001 (January 2015):

- Any changes in ground levels are shown to not result in any loss of fluvial flood storage.
- Finished floor levels are set no lower than 0.3m above the 0.1% (1 in 1000) fluvial flood levels already supplied by the Environmental Agency.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently agreed, in writing, by the Local Planning Authority.

Reason: To prevent flooding elsewhere by ensuring that surface water will be attenuated on site to the 1% (1 in 100) annual probability with 30% allowance for climate change and to accord with policies W DM2 and W DM3 of the Arun District Local Plan.

11. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. In the event that such consent is sought and given by the local planning authority the development shall be carried out in accordance with the approved details.

Reasons: To prevent development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution in accordance with the NPPF and to accord with policies W DM1 and W DM3 of the Arun District Local Plan.

12. No development, other than works associated with the construction of the access, shall commence until the vehicular access serving the development has been implemented in accordance with Drawing Number:REDW-3167-138 Highway Access Plan

Reason: In the interests of road safety. The condition is pre-commencement to ensure provision of a safe access prior to works commencing on site and to accord with policies T SP1 and T DM1 of the Arun District Local Plan.

13. No part of the development shall be first occupied until provision has been made within the site in accordance with plans and details to be submitted to and approved by the Local Planning Authority to prevent surface water draining onto the public highway.

Reason: In the interests of road safety and to accord with policies T SP1 and T DM1 of the Arun District Local Plan.

14. In respect of the application granted Full Permission (Retail Unit), no development shall take place, until a Construction Management Plan has been 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),
- measures to control the emission of dust and dirt during demolition and construction, lighting for construction and security,

· details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area and to accord with policies T SP1 and QE SP1 of the Arun District Local Plan. The condition is pre-commencement to ensure the construction activities are controlled satisfactorily before they are undertaken.

15. The Approved Framework Travel Plan (Redwood Partnership (PMcL/3167d2/February 2015) shall be implemented in accordance with the timescales specified therein, to include those parts identified as being implemented prior to occupation and following occupation, unless alternative timescales are agreed in writing with the Local Planning Authority. The Approved Travel Plan shall be monitored and reviewed in accordance with the agreed Travel Plan targets to the satisfaction of the Local Planning Authority.

Reason: To support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling and to accord with policies T SP1 and T DM1 of the Arun District Local Plan.

16. No development shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, 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 five years from the completion of 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. This is required to be a pre-commencement condition to ensure protection for trees in place before work commences on site.

Reason: In the interests of amenity and of the environment of the development in accordance with policies ENV SP1 and ENV DM4 of the Arun District Local Plan. This is required to be a pre-commencement condition to ensure protection for trees in place before work commences on site.

17. No development, including the site access or other associated construction activities, shall take place on the site unless and until all of the existing trees/bushes/hedges to be retained on the site have been protected by a fence in accordance with the Middlemarch Environmental Consultancy Arboricultural Method Statement Report Ref RT-MME-117420-03 Rev A January 2015 and Tree Protection Plan Ref C117420-03-01 Rev A January 2015. The development shall be carried out in accordance with the Middlemarch Environmental Consultancy Arboricultural Method Statement Report Ref RT-MME-117420-03 Rev A January 2015 and Tree Protection Plan Ref C117420-03-01 Rev A January 2015.

Reason: To ensure the retention and maintenance of trees and vegetation which are an important feature of the area in accordance with policies ENV SP1 and ENV DM4 of the Arun District Local Plan. This is required to be a pre-commencement condition to ensure protection for trees in place before work commences on site.

18. No development shall commence until a scheme for the provision of external lighting has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall include full details of the locations, design, luminance levels, light spillage, hours of

use, and columns for all external lighting within the site. The approved scheme shall be implemented in full prior to the occupation of the buildings.

External lighting in association with this development shall comply with the Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light, Obtrusive Light Limitations for Exterior Installations for Zone E2.

Reason: To safeguard the residential amenities of the local area in accordance with QE DM2 and ENV DM5 of the Arun District Local Plan. This is required to be a pre-commencement condition to ensure the details of the scheme are agreed before construction commences.

19. The buildings shall not be occupied until the parking spaces, and turning facilities shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policy T SP1 of the Arun District Local Plan.

20. The construction of external facing materials for each building shall not take place until details and samples of all external walling, window, door and roofing materials for that building have been submitted to and approved in writing by the Local Planning Authority. Such materials shall be made available on site prior to the commencement of their use, for the inspection of the Local Planning Authority who shall be notified in writing of their availability. The building works shall be constructed from the materials thereby approved.

Reason: In the interests of visual amenity in accordance with Arun District Local Plan policies D SP1 and D DM1.

21. No mechanical ventilation or air conditioning system or any other plant machinery shall be installed or operated for each building until details of the installation and operation of the system have been submitted to and approved in writing by the Local Planning Authority. The system shall thereafter only be installed and operated in accordance with the approved details.

Reason: In the interests of amenity in accordance with Arun Local Plan policies QE SP1 and QE DM1

22. At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources or equivalent fabric first standards that would secure a 10% reduction in energy use. Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter.

Reason: In order to seek to achieve high levels of energy efficiency in accordance with the aims of the NPPF and emerging Arun Local Plan Policy ECC SP2.

23. Prior to the commencement of development or any preparatory works an Ecological Protection & Enhancement Plan shall be submitted to and agreed in writing by the Council. The Plan shall be based on the mitigation measures proposed in Preliminary Ecological Assessment dated November 2014 prepared by Middlemarch Environmental and the Water Vole and Reptiles Survey by Urban Edge Environmental Consulting in May 2015 and will include a programme of ecological monitoring to inform the long term management

of the site. The Plan will include full mitigation strategy for Water Voles and Reptiles and a work programme with clear timelines for each mitigation measure to be carried out. The mitigation measures shall be implemented in accordance with the timescales set out in the agreed plan.

Reason: To ensure the protection and retention of biodiversity in accordance with Arun District Local Plan policies ENV SPS, ENV DM3 and ENV DM5. This is required to be a pre-commencement condition to protect the ecology of the site.

24. Construction works shall not take place outside 08.00 hours to 18.30 hours Mondays to Fridays and 08.00 hours to 13.30 hours on Saturday. There will be no construction on Sundays or Bank Holidays.

Reason: To safeguard the residential amenity of the area in accordance with the Arun District Local Plan policy QE SP1.

25. The retail store shall open for trade between the hours of 07.00 and 23.00 Monday to Saturday and will comply with the Sunday Trading Act 1994 (or subsequent replacement) on Sundays. Except for the week (7 days) immediately before Christmas day and for the week (7 days) immediately before Easter Sunday, when the retail store shall only be open for trade between the hours of 06.00 and 24.00 Monday to Saturday and will comply with the Sunday Trading Act 1994 (of subsequent replacement) on Sundays.

Reason: To comply with Arun District Local Plan policy QE SP1, and in accordance with the NPPF.

The conditions below refer to the 'outline' matters within the planning application.

26. In respect of the part of the application where Outline Permission is granted (Public House), the permission hereby granted is an Outline Permission under Section 92 of the Town and Country Planning Act 1990 (as amended) and an application for the approval of the Local Planning Authority to the following matters must be made not later than the expiration of 3 years beginning with the date of this permission:-
(a) Layout;
(b) Scale;
(c) Appearance;
(d) Landscaping.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

27. In respect of the part of the application where Outline Permission is granted (Public House), the development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

28. In respect of the part of the application where Outline Permission is granted (Public House), the development hereby approved shall be carried out in accordance with the following approved plans :

Drawing Number: 1117-P-10 Existing Location

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

29. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

Reason: The site is of archaeological significance in accordance with Arun District Local Plan policy HER DM6. This condition is required to be pre-commencement to ensure archaeological work is carried out prior to any other works on site.

30. Development shall not commence 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, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and 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 District Council 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.

31. The development shall not proceed until formal consent has been approved in writing from the Lead Local Flood Authority (WSCC) or its agent (ADC) for the discharge of any flows to watercourses, or the culverting, diversion, infilling or obstruction of any watercourse on the site.

Any discharge to a watercourse must be at a rate no greater than the pre-development run off values.

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 District Council Local Plan.

32. The Public House unit shall not be occupied until full details of the maintenance and management of the SUDs 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 manufacturers recommended design life. Upon completed construction of the SuDs System, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure the efficient maintenance and on-going operation of the SuDs system and to ensure the best practice in line with guidance set out in 'The SuDs Manual' CIRIA

publication ref: C697 Chapter 22 and 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 District Council Local Plan.

33. No part of the development shall be first occupied until such time that arrangements for the future access and maintenance of any watercourse or culvert (piped watercourse) crossing or abutting the site has been submitted and approved in writing by the Local Planning Authority.

No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities of any watercourse on or adjacent to the site.

Reason: 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.

34. Construction shall not commence until full details of the foul water drainage scheme have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water (including details of its routing, design and subsequent management/maintenance). The development shall be carried out in accordance with the approved details.

Reason: To ensure suitable foul sewerage water disposal in accordance with policy W DM1 of the Arun District Council Local Plan. This is required to be a prior to construction condition because it is necessary to implement the foul water drainage system prior to commencing construction works.

35. If, during development, contamination not previously identified is found to be present at the site then no further development within the affected area (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To prevent development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution in accordance with the NPPF and policies W DM1, QE SP1 and QE DM4 of the Arun District Local Plan..

36. The development permitted by this planning permission shall be carried out in accordance with the following mitigation measures detailed within the Approved Flood Risk Assessment (FRA) 32447/4001 (January 2015):

- Any changes in ground levels are shown to not result in any loss of fluvial flood storage.
- Finished floor levels are set no lower than 0.3m above the 0.1% (1 in 1000) fluvial flood levels already supplied by the Environmental Agency.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently agreed, in writing, by the Local Planning Authority.

Reason: To prevent flooding elsewhere by ensuring that surface water will be attenuated on site to the 1% (1 in 100) annual probability with 30% allowance for climate change and to accord with policies W DM2 and W DM3 of the Arun District Local Plan.

37. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. In the event that such consent is sought and given by the local planning authority the development shall be carried out in accordance with the approved details.

Reasons: To prevent development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution in accordance with the NPPF and to accord with policies W DM1 and W DM3 of the Arun District Local Plan..

38. No development, other than works associated with the construction of the access, shall commence until the vehicular access serving the development has been implementation in accordance with Drawing Number:REDW-3167-138 Highway Access Plan

Reason: In the interests of road safety. The condition is pre-commencement to ensure provision of a safe access prior to works commencing on site and to accord with policies T SP1 and T DM1 of the Arun District Local Plan.

39. No part of the development shall be first occupied until provision has been made within the site in accordance with plans and details to be submitted to and approved by the Local Planning Authority to prevent surface water draining onto the public highway.

Reason: In the interests of road safety and to accord with policies T SP1 and T DM1 of the Arun District Local Plan..

40. In respect of the part of the application where Outline Permission is granted (Public House), no development shall take place, including any works of demolition, until a Construction Management Plan has been 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),
- measures to control the emission of dust and dirt during demolition and construction,
- lighting for construction and security,
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area and to accord with policies T SP1 and QE SP1 of the Arun District Local Plan. The condition is pre-commencement to ensure the construction activities are controlled satisfactorily before they are undertaken.

41. The Approved Framework Travel Plan (Redwood Partnership (PMcL/3167d2/February 2015) shall be implemented in accordance with the timescales specified therein, to include those parts identified as being implemented prior to occupation and following occupation, unless alternative timescales are agreed in writing with the Local Planning Authority. The Approved

Travel Plan shall be monitored and reviewed in accordance with the agreed Travel Plan targets to the satisfaction of the Local Planning Authority.

Reason: To support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling and to accord with policies T SP1 and T DM1 of the Arun District Local Plan.

42. No development shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, 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 five years from the completion of 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 policies ENV SP1 and ENV DM4 of the Arun District Local Plan. This is required to be a pre-commencement condition to ensure protection for trees in place before work commences on site and hard and soft landscaping schemes agreed prior to their implementation..

43. No development, including the site access or other associated construction activities, shall take place on the site unless and until all of the existing trees/bushes/hedges to be retained on the site have been protected by a fence in accordance with the Middlemarch Environmental Consultancy Arboricultural Method Statement Report Ref RT-MME-117420-03 Rev A January 2015 and Tree Protection Plan Ref C117420-03-01 Rev A January 2015. The development shall be carried out in accordance with the Middlemarch Environmental Consultancy Arboricultural Method Statement Report Ref RT-MME-117420-03 Rev A January 2015 and Tree Protection Plan Ref C117420-03-01 Rev A January 2015.

Reason: To ensure the retention and maintenance of trees and vegetation which are an important feature of the area in accordance with policies ENV SP1 and ENV DM4 of the Arun District Local Plan. This is required to be a pre-commencement condition to ensure protection for trees in place before work commences on site.

44. No development shall commence until a scheme for the provision of external lighting has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall include full details of the locations, design, luminance levels, light spillage, hours of use, and columns for all external lighting within the site. The approved scheme shall be implemented in full prior to the occupation of the buildings.

External lighting in association with this development shall comply with the Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light, Obtrusive Light Limitations for Exterior Installations for Zone E2.

Reason: To safeguard the residential amenities of the local area in accordance with policies QE DM2 and ENV DM5 of the Arun District Local Plan. This is required to be a pre-commencement condition as it is necessary to agree the scheme prior to works commencing.

45. The buildings shall not be occupied until the parking spaces, and turning facilities have been provided and constructed in accordance with plans submitted and approved under the

reserved matters application. The areas of land so provided shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policy T SP1 of the Arun District Local Plan.

46. The construction of external facing materials for each building shall not take place until details and samples of all external walling, window, door and roofing materials for that building have been submitted to and approved in writing by the Local Planning Authority. Such materials shall be made available on site prior to the commencement of their use, for the inspection of the Local Planning Authority who shall be notified in writing of their availability. The building works shall be constructed from the materials thereby approved.

Reason: In the interests of visual amenity in accordance with Arun District Local Plan policies D SP1 and D DM1.

47. No mechanical ventilation or air conditioning system or any other plant machinery shall be installed or operated for each building until details of the installation and operation of the system have been submitted to and approved in writing by the Local Planning Authority. The system shall thereafter only be installed and operated in accordance with the approved details.

Reason: In the interests of amenity in accordance with Arun Local Plan policies QE SP1 and QE DM1

48. At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources or equivalent fabric first standards that would secure a 10% reduction in energy use. Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter.

Reason: In order to seek to achieve high levels of energy efficiency in accordance with the aims of the NPPF and emerging Arun Local Plan Policy ECC SP2.

49. Prior to the commencement of development of any preparatory works an Ecological Protection & Enhancement Plan shall be submitted to and agreed in writing by the Council. The Plan shall be based on the mitigation measures proposed in Preliminary Ecological Assessment dated November 2014 prepared by Middlemarch Environmental and the Water Vole and Reptiles Survey by Urban Edge Environmental Consulting in May 2015 and will include a programme of ecological monitoring to inform the long term management of the site. The Plan will include full mitigation strategy for Water Voles and Reptiles and a work programme with clear timelines for each mitigation measure to be carried out. The mitigation measures shall be implemented in accordance with the timescales set out in the agreed plan.

Reason: To ensure the protection and retention of biodiversity in accordance with Arun District Local Plan policy QE SP1.

50. Construction work shall not take place outside 08.00 hours to 18.30 hours Mondays to Fridays and 08.00 hours to 13.00 hours on Saturday. There will be no Sundays or Bank Holidays.

Reason: To safeguard the residential amenity of the area in accordance with the Arun District Local Plan policy QE SP1.

INFORMATIVE: Please note that related to this permission there is an agreement under Section 106 of the Town & Country Planning Act 1990.

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: 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 0845 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.

Case Officer: Claire Potts

Date of Decision: 17th October 2018



Neil Crowther
Group Head of Planning

Arun District Council
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.

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: 00303 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.

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 and 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).