The Town & Country Planning Act 1990 (as amended)
Town & country Planning (Development Management Procedure) (England) Order 2015 - Article 6

Application for approval of Reserved Matters Following Outline Approval

DECISION NOTICE

Application Ref: BE/137/19/RES

1 **To Addressee**

ECE Planning Limited
Brooklyn Chambers
11 Goring Road
Worthing
West Sussex
BN12 4AP

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2 **Site Address**

The Cottage
Shripney Road
Bognor Regis
PO22 9PA

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3 **Description of Development**

Application for approval of phase 2 reserved matters following outline permission BE/63/17/OUT (as amended by BE/131/18/PL) for 20 No. dwellings.

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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 plans & documents:

Location Plan Dwg 001 Rev P1;
Proposed Site Plan Dwg 003 Rev P7;
Hard and Soft Landscape General Arrangement Dwg 100 Rev 04;
Soft Landscape Layout Dwg 200 Rev 02;
Detail Planting Plan 1 of 7 Dwg 201 Rev 02;
Detail Planting Plan 2 of 7 Dwg 202 Rev 02;
Detail Planting Plan 3 of 7 Dwg 203 Rev 02;
Detail Planting Plan 4 of 7 Dwg 204 Rev 02;
Detail Planting Plan 5 of 7 Dwg 205 Rev 02;
Detail Planting Plan 6 of 7 Dwg 206 Rev 02;
Detail Planting Plan 7 of 7 Dwg 207 Rev 02;
Proposed Floor Plans Plots 1-6 Dwg 010 Rev P1;

Proposed Floor Plans Plots 7-10 Dwg 011 Rev P2;
Proposed Floor Plans Plots 11-13 Dwg 012 Rev P2;
Proposed Floor Plans Plots 14-16 Dwg 013 Rev P2;
Proposed Floor Plans Plots 17-20 Dwg 014 Rev P4;
Proposed Plans and Elevations Plots 1-6 Dwg 020 Rev P1;
Proposed Plans and Elevations Plots 7 & 10 Dwg 021 Rev P2;
Proposed Plans and Elevations Plots 8 & 9 Dwg 022 Rev P2;
Type B Proposed Elevations Plots 11 & 16 Dwg 023 Rev P1;
Proposed Plans and Elevations Plots 12-15 Dwg 024 Rev P2;
Proposed Plans and Elevations Plots 17-20 Dwg 025 Rev P4;
Proposed Streetscenes 1, 2 & 3 Dwg. 030 Rev P2;
Proposed Streetscene 4 Dwg. 031 Rev P2;
Proposed Site Section A-A Dwg 040;
Public Health Services Proposed Foul Drainage Network Dwg 1201 Rev 01;
Public Health Services Proposed Surface Water Drainage Network Dwg 1202 Rev 01;
Hard and Soft Landscape Specification Dwg. 001 Rev 01;
Detailed Hard Landscape Schedule and Specification Dwg 002 Rev 01;
Detailed Plant Schedule and Specification Dwg 001 Rev 02; and
Landscape Management Plan Dwg 001 Rev 01.

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

2 All activity at the site is to be carried out in strict accordance with: - Arboricultural & Planning Integration Report, Arbortrack Systems Ltd, ref. jwmb/rpt7/thecottage/PI, 5th June 2020.

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 the installation of these, 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 Utility Service Route connections are implemented on the site.

Reason: To comply with BS5837 and Arun Local Plan policy ENV DM4 and 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.

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 a PRE-COMMENCEMENT Site Meeting is to take place between the Planning Authority's Tree Officer and the Arboricultural Expert representing the site owner(s) - at this meeting all protective fencing and ground protection measures will be inspected to verify they are 'Fit for Purpose' as required under British Standard 5837:2012 and have been erected and positioned exactly as shown on the Tree Protection Plan, Appendix: A, Rev H. June 2020.

A schedule of Site Monitoring/Supervision visits and Reporting Procedures prepared by an Arboricultural Expert will be required and their extent will be agreed on at the site meeting to the satisfaction of the Planning Authority's Tree Officer.

Reasons: To comply with BS5837 and Arun Local Plan policy ENV DM4 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. This is required to be a pre commencement condition because it is necessary to ensure

that trees are fully protected before the ground is disturbed and works commence. This condition supersedes condition 6 on BE/63/17/OUT.

4 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the National Planning Policy Framework) unless it can be demonstrated that a fabric-first approach would achieve an equivalent energy saving. Details and a timetable of how this is to be achieved for each phase or sub phase of development, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority before any development above damp proof course (DPC) level in that phase or sub phase begins. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter.

Reason: In order to secure a reduction in energy usage across the site in accordance with national planning policy, in accordance with policy ECC SP2 of the Arun Local Plan.

5 No development above damp proof course (DPC) level shall take place unless and until a scheme has been submitted to and approved by the local planning authority to show how the needs of hedgehogs will be accommodated in the development. This shall include the placement of hedgehog nesting boxes and the creation of gaps in boundary treatments to ensure that hedgehogs are able to move into/out of and around the development. The approved measures shall thereafter be implemented prior to occupation of any part of the development and permanently retained thereafter.

Reason: Hedgehogs were not considered by the mitigation/enhancement measures in the Preliminary Ecological Appraisal approved by BE/63/17/OUT and in accordance with the NPPF and policy ENV DM5 of the Arun Local Plan.

6 No development above damp proof course (DPC) level shall take place until details of proposed cycle stores or storage racks for plots 7-20 have been submitted to and approved by the Local Planning Authority and none of the houses and flats shall be occupied until the approved cycle storage sheds/storage racks/internal stores associated with them have been implemented. The cycle racks shall be maintained in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with Arun Local Plan policies T SP1 and T DM1.

7 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a development of visual quality in accordance with policies D SP1 and D DM1 of the Arun Local Plan.

8 Plots 17-20 shall not be occupied unless and until secure gates have been installed in accordance with drawing 6656 PL-031 Rev P2 "Proposed Street Scenes 4, 5") . These gates shall thereafter be permanently retained and maintained in good working condition.

Reason: To ensure there is access from the car ports to the respective residential properties in the interests of good design and connectivity in accordance with policies D DM1 and D SP1 of the Arun Local Plan.

9 Prior to the occupation of any dwelling, details of a fire hydrant, its connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting together with its maintenance, or a suitable, alternative arrangement, shall be submitted to and approved in

writing by the local planning authority. The development shall be carried out in accordance with the approved details, and the hydrant, or the alternative arrangement, shall be retained thereafter.

Reason: In order to provide adequate infrastructure for emergency services, in accordance with Policy INF SP1 of the Arun Local Plan.

10 No construction / demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no works taking place on Sunday or Bank Holidays.

Reason: To protect the amenity of local residents in accordance with policies QE SP1 and QE DM1 of the Arun Local Plan.

11 All bathroom and toilet windows hereby approved shall be glazed with obscured glass and permanently retained thereafter.

Reason: To protect the amenities and privacy of existing and future occupiers in accordance with policies D DM1 and QE SP1 of the Arun Local Plan.

12 No windows (other than those shown on the plans hereby approved) shall be constructed in the first floor flank elevations of any of the dwellings hereby approved without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of existing and future occupiers in accordance with policies D DM1 and QE SP1 of the Arun Local Plan.

13 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) there shall be no rear extensions or outbuildings constructed in the curtilages of plots 7-14 & 16 and there shall also be no alterations to any of the approved car ports within the site (plots 7-20) unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To maintain adequate private amenity space and minimise future harm to retained trees in accordance with policies D DM1, D SP1 & ENV DM5 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 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: The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information, please contact the Environmental Health Department on 01903 737555.

INFORMATIVE: The applicant's attention is drawn to the requirements of the Environmental Protection Act 1990 and the Clean Air Act 1993 with regard to burning on site. A statutory nuisance may be caused by smoke and ash from fires or noise from the cutting or chipping trees. In addition, air quality could be adversely affected on large projects. The granting of this planning permission does not permit a statutory nuisance to be caused. The Environment Agency should also be contacted regarding Exemption Permits to burn on site.

INFORMATIVE: The applicant should note that this layout has been approved without agreement by

Drainage Engineers to the scheme layout and therefore if it subsequently becomes clear that the drainage conditions cannot be agreed due to the layout not providing sufficient space for drainage then a new Reserved Matters application will need to be submitted as the Local Planning Authority will not be able to agree such changes through the Non Material Amendment process.

INFORMATIVE: This permission does not in any way discharge condition 17 (electric car charge points) on the outline planning permission and as such you will need to apply separately to discharge this condition. Please ensure that the submission of details complies with the guidance in the SPD which sets out that:

- 100% of parking spaces of houses with a driveway or garage require an active charge point;
- At the current rate until 2023, 20% of all other parking spaces require an active point; and
- Ducting is provided at all remaining spaces where appropriate to provide 'passive' provision for these spaces to be upgraded in future.

Neil Crowther
Group Head of Planning

Case Officer: Mr S Davis

Decision Issued: 25th June 2020

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).