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: BE/29/19/PL

1 **To Addressee**

Barton Whillmore
The Blade
Abbey Square
Reading
RG1 3BE

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2 **Site Address**

Land west of New Barn Lane
Bersted

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3 **Description of Development**

Erection of 99 No. dwellings together with landscaping, open space & associated works. Access to be taken from New Barn Lane.

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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 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 and statements:

· Location Plan - 13/02/2019 19-1013-001-1st
· Site Plan - Planning Layout - 19-1013-005A
· Site Plan - Massing & Active Frontage - 19-1013-007-1st
· Site Plan - Refuse Strategy - 19-1013-008-1st
· Site Plan - Parking Strategy - 19-1013-009-1st
· Floor Plans and Elevations - Plots 1 & 2 - House Type 310 &202L - 19-1013-010-1st
· Floor Plans and Elevations - Plot 3 - House Type 402 - 19-1013-011-1st
· Floor Plans and Elevations - Plot 4 & 5 - House Types 202L & 310 - 19-1013-012-1st
· Floor Plans and Elevations - Plot 6 - House Type 402 - 19-1013-013-1st
· Floor Plans and Elevations - Plot 7 - House Type 404 - 19-1013-014-1st
· Floor Plans and Elevations - Plot 8 - Bungalow 3BB - 19-1013-015-1st

· Floor Plans and Elevations - Plots 9 & 10 - House Types 310 & 202L - 19-1013-016-1st
· Floor Plans and Elevations - Plots 11 & 12 - House Types 303A & 303 - 19-1013-017-1st
· Floor Plans and Elevations - Plots 13 & 14 - House Types 303A & 303 - 19-1013-018-1st
· Floor Plans and Elevations - Plots 15 & 16 - House Types 303A & 303 - 19-1013-019-1st
· Floor Plans and Elevations - Plots 17 & 18 - House Types 303A & 303 - 19-1013-020-1st
· Floor Plans and Elevations - Plot 19 - House Type 402 - 19-1013-021-1st
· Floor Plans and Elevations - Plot 20 - House Type 402 - 19-1013-022-1st
· Floor Plans and Elevations - Plot 21 - House Type 402 - 19-1013-023-1st
· Floor Plans and Elevations - Plot 22, 23 & 24 - House Type 202L & 303 - 19-1013-024-1st
· Floor Plans and Elevations - Plots 25 - 28 - House Type A2 - 19-1013-025-1st
· Floor Plans and Elevations - Plots 29 - 33 & 48 - 2BF Apartments - 19-1013-026-1st
· Floor Plans and Elevations - Plots 34 & 35 - House Type A3 - 19-1013-027-1st
· Floor Plans and Elevations - Plots 36 & 37 - House Type A3 - 19-1013-028-1st
· Floor Plans and Elevations - Plots 38, 39 & 40 - House Type 303A, 303 & 310 - 19-1013-029-1st
· Floor Plans and Elevations - Plots 41 & 42 - House Type 303A & 303 - 19-1013-030-1st
· Floor Plans and Elevations - Plots 43 - 47 - 2BA Apartments - 19-1013-031-1st
· Floor Plans and Elevations - Plots 50 - 53 - House Type 202L - 19-1013-032-1st
· Floor Plans and Elevations - Plots 56, 67 & 68 - House Type 303 & 202L - 19-1013-033-1st
· Floor Plans and Elevations - Plots 69 & 70 - House Type 303 - 19-1013-034-1st
· Floor Plans and Elevations - Plots 54 & 55 - House Type 303A & 303 - 19-1013-035-1st
· Floor Plans and Elevations - Plots 71, 72 & 73 - House Type A3 - 19-1013-036-1st
· Floor Plans and Elevations - Plots 57 & 58 - House Type 303 & 303A - 19-1013-037-1st
· Floor Plans and Elevations - Plots 59 & 60 - House Type 303 & 303A - 19-1013-038-1st
· Floor Plans and Elevations - Plots 61 - 66 - 1BF - 19-1013-039-1st
· Floor Plans and Elevations - Plots 74, 75, 76 & 82 - House Type A2 - 19-1013-040-1st
· Floor Plans and Elevations - Plot 77 - House Type 2BBb - 19-1013-041-1st
· Floor Plans and Elevations - Plot 78 - House Type 2BBb - 19-1013-042-1st
· Floor Plans and Elevations - Plot 79 - House Type 2BBb - 19-1013-043-1st
· Floor Plans and Elevations - Plot 80 - House Type 2BBc - 19-1013-044-1st
· Floor Plans and Elevations - Plot 81 - House Type 3BB - 19-1013-045-1st
· Floor Plans and Elevations - Plots 83, 85 & 86 - House Type 303 & 202L - 19-1013-046-1st
· Floor Plans and Elevations - Plot 84 - House Type 404 - 19-1013-047-1st
· Floor Plans and Elevations - Plots 87 & 91 - House Type 303 - 19-1013-048-1st
· Floor Plans and Elevations - Plot 88 - House Type 402 - 19-1013-049-1st
· Floor Plans and Elevations - Plot 89 - House Type 402 - 19-1013-050-1st
· Floor Plans and Elevations - Plot 90 - House Type 310 - 19-1013-051-1st
· Floor Plans and Elevations - Plot 92 - House Type 310 - 19-1013-052-1st
· Floor Plans and Elevations - Plots 93 & 94 - House Types 303 & 310 - 19-1013-053-1st
· Floor Plans and Elevations - Plots 95-98 - House Type 202L - 19-1013-054-1st
· Floor Plans and Elevations - Plots 99 & 49 - House Type 303 - 19-1013-055-1st
· Site Sections and Street Scenes - Sheet 1 of 3 - 19-1013-060-1st
· Site Sections and Street Scenes - Sheet 2 of 3 - 19-1013-061-1st
· Site Sections and Street Scenes - Sheet 3 of 3 - 19-1013-062-1st
· Garages Sheet 1 of 2 - Floor Plans & Elevations - 19-1013-065-1st
· Garages Sheet 2 of 2 - Floor Plans & Elevations - 19-1013-066-1st
· Boundary Wall and Fence Details - 19-1013-067-1st
· General Arrangement - LH5232-2002J
· Surfacing Layout - LH5232-2004F
· Vehicle Tracking - LH5232-2007C
· Levels Design - LHS232-4003
· Lighting Strategy Layout - LHS232-4005
- LHS232-4010 Longitudinal Sections

- LHS232-4020 Road Construction Details
- Fire Hydrant Plan
- External Materials Schedule

· Soft Landscaping Proposals - LIN22349 11E Sheet 1
· Soft Landscaping Proposals - LIN22349 11E Sheet 2
· Soft Landscaping Proposals - LIN22349 11E Sheet 3
· Soft Landscaping Proposals - LIN22349 11E Sheet 4
· Soft Landscaping Proposals - LIN22349 11E Sheet 5
· Soft Landscaping Proposals - LIN22349 11E Sheet 6
· Hard Landscape Proposals - LIN22349 12 Sheet 1
· Hard Landscape Proposals - LIN22349 12 Sheet 2
· Hard Landscape Proposals - LIN22349 12 Sheet 3
· Hard Landscape Proposals - LIN22349 12 Sheet 4
· Hard Landscape Proposals - LIN22349 12 Sheet 5
· Hard Landscape Proposals - LIN22349 12 Sheet 6
· Play Area Proposals - LIN22349 12 Sheet 1
· Play Area Proposals - LIN22349 12 Sheet 2
· Open Space Proposals - LIN22349 21C
· Tree Protection Plan - LIN22349-03
· Arboricultural Impact Assessment & Method Statement - LIN22349aia-ams
· Soft Landscape Management & Maintenance Plan - LIN22349Man
· Soft Landscape Specification - LIN22349 Spec
· Energy Statement - August 2017

Root Barrier Protection Detail - 99 Unit Scheme (Alternative Application) - LHS232-4013 Rev B
· Sections Through Existing Ditch and Proposed Headwall 99 Unit Scheme (Alternative Application) - LHS232-4012 Rev B
· Drainage Design 99 Unit Scheme - Sheet 1 (Alternative Application) - LHS232-4001 Rev B
· Drainage Design 99 Unit Scheme - Sheet 2 (Alternative Application) - LHS232-4002 Rev B
· Attenuation Basin Sections and Detail 99 Unit Scheme - LHS232-4011 Rev B
· Section Through Control Chambers and Attenuation Tanks - LHS232-4025 Rev B
· Control Chamber & Catchpit MH Construction Details - LHS232-1024 Rev D
· 99 Unit Scheme Urban Creep Areas (Alternative Application) - 5529:CA6 Rev A
· 99 Unit Scheme Catchment Areas (Alternative Application) - 5529:CA5 Rev A
· 99 Unit Scheme Catchment Areas + 10% Alternative Application - 5529:CA4 Rev B
· Sewer Construction Details 99 Unit Scheme (Alternative Application) - LHS232-4021
· Private Drainage Construction Details (Sheet 1 of 2) 99 Unit Scheme (Alternative Application) LHS232-4022
· Existing Ditch Layout 99 Unit Scheme (Alternative Application) - LHS232:4071
· S104 Agreement Plan - LHS232-10500 Rev F
· Foul & Surface Water Drainage Statement - KTG/18:00478/5529 (16th August 2019)
· SUDS Management & Maintenance Plan - KTG/18/0267/5529 Rev J (September 2019)
· Uplift Calculations - Attenuation Tanks 1 and 2 - 16.04.2019
· Uplift Calculations - Attenuation Tank 3 - 16.04.2019
· Uplift Calculations - Attenuation Tank 4 - 16.04.2019
· Uplift Calculations - Attenuation Tank 5 - 16.04.2019
· Uplift Calculations - Pond - Rev E 19.02.2019

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 Within 3 months of this approval the surface water drainage system shall be implemented in full to serve plots (Plots 1-8, 11-19, 23-24, 39-47). Prior to the occupation of any other plot the surface water drainage system to serve that dwelling shall be fully implemented and operational.

Prior to the occupation of the 99th dwelling 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 in accordance with the approved maintenance manual.

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.

4 The development hereby approved shall be implemented in accordance with the 'Construction Method Statement and Environmental Plan - LHS232/CEMP' and the measures identified shall be adhered to throughout the entire construction period.

Reason: In the interests of highway safety, the amenity of the locality and the environment in accordance with policies T SP1, D DM1 and ENV DM4 of the Arun Local Plan.

5 At all times during construction the measures specified within the 'Arboricultural Impact Assessment & Method Statement - LIN2234aia-ams' and ' Tree Protection Plan - LIN22349-03' shall be implemented and maintained.

Reason: In the interests of amenity in accordance with policies D DM1 and ENV DM4 of the Arun Local Plan.

6 No operational or construction vehicles shall be operated on the site except between the hours of:

8.00 and 19.00 on Mondays to Fridays inclusive
8.00 and 13.00 on Saturday
Not at any time on Sundays or Public Holidays

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

7 No demolition, ground clearance or vegetation clearance works shall take place within the bird nesting season (between 1 March and 31 August inclusive in any year). If such works cannot be undertaken outside of the nesting season, a nesting bird check shall be required, which should be undertaken by a suitably qualified ecologist immediately prior to the works taking place. Subsequently if any active nest sites are identified, these nests should remain undisturbed until all the young have fledged naturally.

Reason: To minimise disturbance to nesting birds in accordance with policy ENV DM5 of the Arun Local Plan.

8 Landscaping (hard and soft) shall be carried out in accordance with the details shown on plans and all planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding seasons 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 5 years from the completion of the 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 policy D DM1 and ENV DM4 of the Arun Local Plan.

9 Visibility splays of 2.4 metres by 43 metres shall be provided at the proposed site vehicular access onto New Barn Lane in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety in accordance with policy D DM1 of the Arun Local Plan.

10 No dwelling shall be occupied until the car parking spaces to serve it have been constructed in accordance with the approved plans and details. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide car-parking space for the use of future residents in the interests of amenity in accordance with policy D DM1 and T SP1 of the Arun Local Plan.

11 No dwelling shall be occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details hereby approved.

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

12 The development shall be carried out in accordance with the measures identified within the 'Travel Plan Technical Note (14 January 2019) - MS/ITB13052-007A TN'.

Reason: In the interests of amenity and the environment in accordance with policy T SP1 of the Arun Local Plan.

13 The ecological enhancement measures identified within the Ecological Assessment (6767.EcoAss.99unit.Alternative.vf1) will be provided on site within 1 month of full occupation of the dwellings hereby approved.

Reason: In the interests of the environment and biodiversity in accordance with policy ENV DM5 of the Arun Local Plan.

14 An electric vehicle charging Point shall be provided to serve each dwelling hereby approved (excluding plots 1-47) and 20% of all other parking spaces on site shall feature an electric vehicle charging point. The electric vehicle charging points to serve each individual dwelling shall be implemented and operational prior to occupation of the dwelling they serve and the communal charging points shall be implemented and operational prior to the occupation of the 99th dwelling.

Reason: New petrol and diesel cars/vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with Policy D DM1 and Policy QE DM3 (c) of the Arun Local Plan and the NPPF.

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.

Neil Crowther
Group Head of Planning

Case Officer:	Claire Potts	Arun District Council The Arun Civic Centre Maltravers Road Littlehampton West Sussex BN17 5LF
Decision Issued:	**11th October 2019**	

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 public highway (including the placing of skips on highway land).