

## DECISION NOTICE

Application Ref: BE/48/25/PL

1 **To Addressee**

Manhire LLP  
The Old Coach House  
Chichester  
West Sussex  
PO19 1TB

2 **Site Address**

Rear of Regal House And Wayside  
Shripney Road  
Bognor Regis  
PO22 9NP

3 **Description of Development**

7 No. residential dwellings and associated works including new access. This application is a Departure from the Development Plan and is in CIL Zone 3 and is CIL Liable as new dwellings.

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 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:

- Location and Block Plan - SL-28A
- Proposed Site Layout Plan - SL-30F
- House Type A1 (Plot 1) Plans and Elevations - BL-41
- House Type A (Plot 2,6,7) Plans and Elevations - BL-40
- House Type B (Plots 3 and 4) Plan and Elevations - BL-42
- House Type C (Plot 5) Plans and Elevations - BL-44 B

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

- 3 Before any machinery is introduced to the site or construction work takes place, a brief written report (with supporting photographic evidence) is required from the Arboricultural Consultant representing the site owner(s), confirming and demonstrating that all ground protection and protective fencing has been assessed and is 'Fit for Purpose' as required under British Standard 5837:2012, erected and positioned exactly as shown on the Tree Protection Plan, dwg. WTP2.

Reasons: To comply with BS5837:2012 and ensure the retention and maintenance of trees and vegetation which are an important feature of the area, in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as the protection and retention of trees goes to the heart of the planning permission.

- 4 Prior to the commencement of development, full details of the proposed surface water drainage scheme must be submitted and approved in writing by the local planning authority. The full details submitted for approval shall include:

- 1, Winter groundwater monitoring,
2. Winter infiltration testing strictly in accordance with BRE DG 365 or similar approved,
3. Details of the proposed method and location of surface water disposal, in accordance with the SuDS hierarchy,
4. Contributing area plans,
5. Calculations modelling the surface water drainage network for the following storm events:
  - a. 100% Annual Exceedance Probability
  - b. 10% AEP + climate change allowance
  - c. 3.3% AEP + climate change allowance
  - d. 1% AEP + climate change allowance

All storm events must include an allowance for urban creep and surcharged outfalls where appropriate,

6. Detailed drainage plans conforming to Local Planning Authority guidance,
7. Specifications for all surface water drainage components and associated infrastructure or flow control mechanisms,
8. Any relevant permissions relating to the discharge location, works to watercourses or adoption of the SuDS scheme.

The scheme shall then be constructed as per the approved plans. The surface water drainage scheme shall remain for the lifetime of the development unless agreed in writing by the local planning authority."

Reasons: To ensure that the proposed development is satisfactorily drained and in accordance with Arun Local Plan policies W SP1, W DM1, W DM2 and W DM3. This is required to be pre-commencement to ensure that drainage is dealt with prior to construction.

- 5 Prior to commencement of development, a site-specific SuDS Maintenance and Management Manual must be submitted and approved in writing by the Local Planning Authority. The SuDS Maintenance and Management Manual submitted for approval shall include:

- I.details of SuDS features, connecting drainage infrastructure and watercourses with maintenance requirements for each element,
- II.a management and maintenance plan for the lifetime of the development, including a schedule for the timing and funding of planned replacement of components at the end of their design life,
- III.details of the financial management of the maintenance of the surface water drainage on the site,
- IV.details of who is responsible for the implementation of the SuDS Maintenance and Management Manual,
- V.details of the arrangements for adoption by any public body or statutory undertaker, or any

other arrangements to secure the operation of the surface water drainage scheme for the lifetime of the development.

Upon completed construction of the approved drainage system, the persons responsible for the maintenance of drainage on the site shall strictly adhere to and implement the recommendations contained within the manual."

Reasons: To ensure that the proposed development is satisfactorily drained and in accordance with Arun Local Plan policies W SP1, W DM1, W DM2 and W DM3. This is required to be pre-commencement to ensure that maintenance of the drainage system is in place.

- 6 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,
  - construction hours,
  - 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),
  - access arrangements from the public highway, including temporary accesses and alterations to existing accesses,
  - details of public engagement both prior to and during construction works.

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

- 7 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: To enable items of archaeological interest to be recorded in accordance with Arun Local Plan policy HER DM6. This is required to be pre commencement as investigation should take place prior to development on site.

- 8 Prior to the commencement of the development, a scheme for protecting the proposed dwellings from noise shall be submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall achieve the following noise levels, based on Table 4 of BS 8233:2014:
- a) internal day time (07.00 hours to 23.00 hours) noise levels shall not exceed 35dB LAeq, 16hr for habitable rooms (bedrooms and living rooms with windows open).
  - b) internal night-time (23.00 hours to 07.00 hours) noise levels shall not exceed 30dB Laeq, with individual noise events not exceeding 45dB L<sub>max</sub> no more than 12 times per night (bedrooms windows open).
  - c) garden/external amenity spaces should not exceed 50 dB LAeq, 16hr. If it is predicted that the internal noise levels specified above will not be met with windows open, the proposed mitigation scheme shall assume windows would be kept closed and will specify an alternative ventilation system, to reduce the need for windows to be opened. As a minimum, this should usually consist of a mechanical heat recovery ventilation system with cool air by-pass or equivalent. Details shall be compiled by a competent acoustician on sound insulation and noise reduction for buildings and

shall be submitted to and approved in writing by the Local Planning Authority.

The applicant should review the Planning Noise Advice Document - Sussex, November 2023: <https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n19846.pdf&ver=24686>.

The agreed noise mitigation measures shall be fully installed/implemented prior to occupation of any of the affected dwellings and permanently retained in good working order.

Reason: To protect the amenity of local residents in accordance with Arun Local Plan policy QE DM1. This must be a pre-commencement condition because it is necessary to have such mitigation measures in place before the buildings are occupied.

- 9 No development shall commence until the vehicular access serving the development has been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety in accordance with Arun Local Plan policy T SP1. This is required to be pre commencement to ensure the access is constructed prior to development of the wider site.

- 10 Prior to occupation of the final building, a verification report must be submitted and approved in writing by the Local Planning Authority. The verification report submitted for approval must:
- I. Be written and informed by a surveyor or engineer that is independent of the contractor,
  - II. Demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 4 (detailed design)
  - III. Include full as-built survey drawings,
  - IV. Include photographs of excavations, installation of any surface water structure, control mechanism or other drainage infrastructure,
  - V. Detail any corrective works that are necessary with a timetable for their completion.
- a. Where corrective works are required, these must be carried out in accordance with the approved timetable.
  - b. Corrective works must be subsequently resurveyed with the findings submitted to and approved in writing by the local planning authority."

Reasons: To ensure drainage has been constructed as required and satisfactorily drained in accordance with Arun Local Plan policies W SP1, W DM1, W DM2 and W DM3.

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

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

- 12 No development above damp-proof course (DPC) level 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 Arun Local Plan policy D DM1.

- 13 No development above damp proof course (DPC) level shall take place until details of all new boundary treatments to be used across the site have been submitted to and approved by the Local Planning Authority and no part of the development shall be occupied until such boundary treatments have been erected.

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

- 14 Prior to any part of the new development being first brought into use/occupied, a bat friendly Lighting Plan shall be submitted to and approved in writing by the Local Planning Authority.

The recommended lighting specification shall use LED's (at 3 lux) with the recommended spectrum being 80% amber and 20% white with a clear view, no UV, a horizontal light spread of less than 70 degrees and a timer. A 3D plan of the illumination level should be supplied so that the Local Planning Authority can assess the potential impact on protected species.

Reason: To allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats and species) and Arun Local Plan policy ENV DM5.

- 15 The development shall be carried out in accordance with the submitted flood risk assessment (ref: September 2024 Rev 0) and the following mitigation measures it details:
- All dwellings are built entirely in Flood Zone 1.
  - Finished floor levels will be set at a minimum of 150mm above the external levels.

These mitigation measures shall be fully implemented prior to occupation. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants in compliance with the NPPF and Arun Local Plan policy W DM2.

- 16 No development shall be occupied until full details of the secure cycle stores have been submitted to and approved in writing by the Local Planning Authority. These cycle storage spaces shall thereafter be permanently retained and maintained.

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

- 17 Prior to any development above damp-proof course (DPC) level, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal, Ecology Works, 31st March 25), shall be submitted to and approved in writing by the Local Planning Authority.

The enhancement measures shall be implemented in accordance with the approved details prior to first occupation of any part of the development and all features shall be retained in that manner thereafter.

Reason: To enhance protected and priority species and habitats in accordance with Arun Local Plan policies ENV SP1 and ENV DM5 and allow the Local Planning Authority to discharge its duties under the NPPF and s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats and species).

- 18 All activity at the site is to be carried out in strict accordance with: - Arboricultural Method Statement, Wadey Trees, ref. WT 023-22 AMS, 12 November 2024

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 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 works are commenced out on site.

Reasons: To comply with BS5837:2012 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 in compliance Arun Local Plan policy ENV DM4..

- 19 No part of the development shall be first occupied until the vehicle parking spaces have been constructed in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide adequate on-site car parking space for the development in accordance with Arun Local Plan policy T SP1.

- 20 The approved development shall include energy efficiency measures that reflect the current standards applicable at the time of submission and decentralised, renewable or low carbon energy supply systems. Any physical features that are required as part of the works must be installed prior to the occupation of each dwelling and shall be thereafter permanently maintained in good working condition.

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

- 21 Prior to occupation of any of the approved dwellings, the applicant or developer shall provide the dwellings with electric vehicle charge points in accordance with the council's standards as set out in its Parking Standards SPD. This requires that where a dwelling has a driveway or garage then one of those parking spaces shall be provided with a charging point, with ducting then being provided to all other spaces, where appropriate, to provide passive provision for these spaces to be upgraded in future. The individual charge points shall be in accordance with the technical requirements set out in Part S, section 6.2 of the Building Regulations 2010 (as amended). The electric vehicle charge points shall thereafter be retained and maintained in good working condition.

Reason: To mitigate against adverse impacts on local air quality and to promote sustainable travel, in accordance with Arun Local Plan policy QE DM3(c), the Arun Parking Standards SPD and the NPPF.

- 22 If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun Local Plan policies QE SP1 and QE DM4.

- 24 Notwithstanding the provisions of Part 1, Class A 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 extensions constructed under g (i) unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with policy D DM1 of the Arun Local Plan.

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## Statutory Biodiversity Gain Plan Condition

- 23 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (the biodiversity gain condition) that development may not begin unless:

1. A Biodiversity Gain Plan has been submitted to the planning authority, and
2. The planning authority has approved the plan.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

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**This application is subject to the Community Infrastructure Levy (CIL) as levied under Arun district Council's CIL Charging Schedule as adopted on 15th January 2020.**

Shortly you will receive a Liability Notice which includes the calculated charge and person(s) liable to pay. If you have not submitted all the necessary CIL forms such as Assumption for Liability ([Form 2](#)) or any appropriate exemption or relief forms available on the Council's website <https://www.arun.gov.uk/cil> you must do so prior to commencement of your development. Failure to do so would invalidate any claim for exemption or relief. Furthermore, you must remember to submit your Commencement Notice no later than the day before the day on which the chargeable development is to commence. Failure to do so could result in a surcharge of up to £2,500.

INFORMATIVE: The applicant is required to obtain all appropriate consents from West Sussex County

Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981 (as amended), 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 0345 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.



Neil Crowther  
Group Head of Planning

Case Officer: Amber Willard

Decision Issued: **9th October 2025**

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](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details can be found at [www.GOV.uk](http://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).