



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/60/15/PL

1 To Addressee

Vivid Design Studio Ltd
 The Barn
 Calcot Mount Business Park
 Calcot Lane
 Curdridge
 Hampshire
 SO32 2BN

2 Site Address

21 Bucksham Avenue
 Bersted
 PO21 5DT

3 Description of Development

Demolition of existing dwelling & erection of 8 No. three bedroom dwellings with new access & car parking.

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 conditions specified below and the obligations under the 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:
- 4872/01 Topographic Survey
 01 Rev A - Site Location Plan;
 02 Rev C - Block Plan;
 03 Rev B - Proposed Site Plan;
 04 Rev A - Proposed Floor Plans & Elevations (Plot 1);
 05 - Proposed Floor Plans & Elevations (Plots 2 & 3);
 06 Rev B - Proposed Floor Plans & Elevations (Plot 4);
 07 Rev B - Proposed Floor Plans & Elevations (Plots 5 & 6);
 08 Rev B - Proposed Floor Plans & Elevations (Plots 7 & 8);
 09 - Proposed Floor Plans & Elevations (Garages);
 10 Rev B - Proposed Streetscenes; and
 ECO2 - Tree Protection at 21 Bucksham Avenue, Bognor Regis.
- Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.
- 3 The development hereby approved shall be carried out in accordance with the following approved materials and explanatory drawings:
- Drawing 12 - Proposed Elevation Materials (plots 1-4);
 Drawing 13 - Proposed Elevation Materials (plots 5-8 & garages);
 Facing Brickwork - HOSKINS BRICKS LTD "Old Farmhouse";
 Tile Hanging - REDLAND "Rosemary Craftsman Clay Tile Albury Sanded Finish";
 Cladding - HARDIEPLANK "Cedar Board Artic White";
 Feature Soldier Courses & Cills - HOSKINS BRICKS LTD - "Old Farmhouse";
 and
 Roof Tiles - MARLEY EXTERNIT "Acme Single Camber Heather Blend".
- Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.
- 4 The bathroom/WC/landing windows on the first floor flank elevations of plot nos 2, 3, 5, 6, 7 & 8 shall at all times be glazed with obscured glass and fixed to be permanently non or top opening only.
- Reason: To protect the amenities and privacy of the adjoining property in accordance with policy GEN7 of the Arun District Local Plan.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015, (or any Order revoking or enacting that Order) no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the first floor flank walls of any of the approved dwellings without the prior permission of the Local Planning Authority on an application in that behalf.
- Reason: To protect the amenities of adjoining residential properties in accordance with policy GEN7 of the Arun District Local Plan.

- 6 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) no extensions including porches or dormer windows to the dwelling houses shall be constructed 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 and safeguard the cohesive appearance of the development in accordance with policy GEN7 of the Arun District Local Plan.
- 7 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) no buildings shall be erected within the curtilage the dwellings unless permission is granted by the Local Planning Authority on an application in that behalf.
- Reason: To safeguard the amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with policy GEN7 of the Arun District Local Plan.
- 8 No development shall commence until the vehicular access serving the development has been constructed in accordance with the approved planning drawing. The access shall be retained thereafter.
- Reason: In the interests of road safety and in accordance with the National Planning Policy Framework.
- 9 No part of the development shall be first occupied until the car parking spaces and garages have been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. These spaces and garages shall thereafter be retained at all times for the parking of vehicles.
- Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of the highway in accordance with policies GEN7 & GEN12 of the Arun District Local Plan and the National Planning Policy Framework.
- 10 Details for the secure storage of bicycles within the application site curtilage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The secure cycle storage so approved shall be implemented in accordance with the approved details and retained in perpetuity unless otherwise agreed in writing with the local planning authority.
- Reason: To ensure that adequate and satisfactory provision is made for the parking of bicycles in accordance with policies GEN7 and GEN12 of the Arun District Local Plan.

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

Reason: In the interests of highway safety & the amenities of the area and in accordance with the National Planning Policy Framework.

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The development must be carried out in accordance with the submitted Ecological Assessment as produced by Emma Pollard CMIEEM and dated June 2015. The relevant sections are paragraphs 42-51 (pages 10-11) and the Reptile Mitigation Strategy on pages 12-14 (including the plan on page 14 showing the locations of reptile hibernacula and log piles) of the report. The enhancements and mitigation measures shall be retained and thereafter maintained.

Reason: In accordance with Arun District Local Plan policy GEN29 and the National Planning Policy Framework.

- 13 No development including site access, demolition or associated construction activities, shall take place on the site unless and until all the existing trees/bushes/hedges to be retained on or surrounding the site have been protected by a fence and suitable ground protection (membranes) in accordance with BS5837 (2012) and Section 9, to be approved by the Local Planning Authority for erection around each tree, group of trees and vegetation to a distance of 15m or to the Root Protection Area (RPA) as calculated in accordance with Table 2 of BS5837 (2012) to be agreed in writing by the Local Planning Authority. Within the areas so fenced off the existing ground must not be cultivated, nor must it be lowered or raised or added to by the importation and spreading of top soil unless agreed by the Local Planning authority. There must be no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without prior written approval of the Local Planning Authority. No trenching should occur within the protective fencing surrounding the Root Protection Area. If however there is no alternative but to locate the services then its encroachment into the Root Protection Area must be kept to a minimum and where the roots should be exposed using compressed air technology, such as the air spade to reduce damage caused by mechanical methods. If roots requiring severance to allow for the passage of services is necessary then an arboriculturist would be required to assess and determine whether the loss of the roots would be detrimental to the continued health and stability of the affected tree.

Reason: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with policy GEN7 of the Arun District Local Plan.

- 14 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 policy GEN7 of the Arun District Local Plan.

- 15 Construction of the development shall not commence unless and until details of the proposed means of foul and surface water sewerage disposal has been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The scheme as approved shall be implemented prior to the first occupation of the dwellings and maintained in good working order.

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul & surface water sewerage in accordance with policy GEN9 of the Arun District Council Local Plan

- 16 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 GEN7 and GEN9 of the Arun District Council Local Plan.
- 17 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 GEN7 and GEN9 of the Arun District Council Local Plan.
- 18 Development shall not commence 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.
- 19 The development layout shall not be agreed 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

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No development shall take place until details of screen walls and/or fences have been submitted to and approved by the Local Planning Authority and no dwellings/buildings shall be occupied until such screen walls and/or fences associated with them have been erected.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District 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 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.

INFORMATIVE: Should any protected species or evidence of any protected species be found prior to or during the development, all works must stop immediately and an ecological consultant or Chichester District Council's ecologist contacted for further advice before works can proceed. All contractors working on site should be made aware of this advice and provided with the contact details of a relevant ecological consultant.

INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel 033 0303 0119) or www.southernwater.co.uk

INFORMATIVE: With regard to condition 16 above; infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE 365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 30% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location.

INFORMATIVE: In accordance with Condition 13 above, a low invasive type of surfacing should be used for the exposed areas of the root protection area for T16 (the Willow Tree to the east of Plot 1) and this should be installed prior to the construction/demolition process beginning.

INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to the following contributions: (1) £7,000 towards nearby off-site open space/play provision; (2) £13,132 payable in lieu of onsite affordable housing; and (3) £8,925 towards the cost of providing accessible natural open green spaces to serve the Pagham area.

INFORMATIVE: The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader, West Sussex County Council, County Hall, Chichester, West Sussex, PO19 1RQ. (Tel no. 01243 642105).



Karl Roberts
Director Planning & Economic Regeneration

Case Officer: Mr S Davis

Date of Decision:

12 November 2015

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 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