ARUN DISTRICT COUNCIL

Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)
Application for Planning Permission
DECISION NOTICE

Application Ref: BE/69/13/

1 **To Addressee**

Berkeley Homes (Southern) Limited
Berkeley House
Summers Place
Stane Street
Billingshurst
RH14 9GN

2 **Site Address**

Site 6
Chichester Road

3 **Description of Development**

Application for the variation of condition 2 (approved drawings of house types) following a grant of planning approval BE/122/10/

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.

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 Plan [ref 1777-A-1001-B]
Site Layout Plans [ref 1777-C-1005-N & 1006-M]
Site Layout Phases 1-4 S783/PH3A/01
Master Plan [ref 1777-C-1000-K]
A-3071 rev E Block 14 (Plots 703-709), Elevations
A-3086 rev E Block 16 (Plots 727-733), Elevations
A-3095 rev D Block 18 (Plots 744-748), Floor Plans
A-3096 rev E Block 18 (Plots 744-748), Elevations
A-3130 rev E Block 23 (Plots 769-773), Elevations
A-3251 rev E Block 47 (Plots 880-886), Elevations

A-3295 Block 56 (plots 942-946) Floor plans rev B
A-3296 Block 56 (plots 942-946) Elevations rev C
A-3300 Block 57 (plots 947-951) Floor plans rev B
A-3301 Block 57 (plots 947-951) Elevations rev C
A-3305 Block 58 (plots 952-957) Floor Plans & Elevations rev D
A-3310 Block 59 (plots 962-966) Floor Plans rev D
A-3311 Block 59 (plots 962-966) Elevations rev D
A-3315 Block 60 (plots 967-969) Floor Plans & Elevations rev D
A-3320 Block 61 (plots 970-973) Floor Plans rev D
A-3321 Block 61 (plots 970-973) Elevations rev D
A-3325 Block 62 (plots 640-641 Floor Plans & Elevations rev A
A-3326 Block 63 (plots 647-648) Floor Plans & Elevations rev A
A-3500 Garages - Floor Plans & Elevations (Sheet 1) rev C
A-3501 Garages - Floor Plans & Elevations (Sheet 2) rev D
A-3550 Carports - Floor Plans & Elevations (Sheet 1) rev D
A-3551 Carports - Floor Plans & Elevations (Sheet 2) rev D
A-3552 Carports - Floor Plans & Elevations (Sheet 3) rev D

A-3600 Storage - Floor Plans and Elevations Rev D
C-1005 Phase 1-4 Rev P
C-1006 Phase 5 Rev N
A-1007 Storey Height Rev E
A-1008 Dwelling Distribution Rev D
A-1009 Construction Phasing Rev E
C-1010 Street Elevation A Rev C
C-1011 Street Elevation B Rev C
C-1012 Street Elevation C Rev C
C-1013 Street Elevation D Rev D
C-1020 Street Elevation E,F and G Rev C
C-1021 Street Elevation H and J Rev C
C-1022 Street Elevation K and L Rev D
A-4000 Design and Access Rev F
A-3000 Block 1 Rev C
A-3005 Block 2 Rev D
A-3006 Block 2 Rev D
A-3010 Block 3 Rev C
A-3015 Block 4 Rev D
A-3020 Block 5 Rev B
A-3021 Block 5 Rev C
A-3030 Block 6 Rev C
A-3035 Block 7 Rev C
A-3040 Block 8 Rev C
A-3045 Block 9 Rev C
A-3046 Block 9 Rev C

A-3055 Block 11 Rev C
A-3060 Block 12 Rev C
A-3065 Block 13 Rev D
A-3070 Block 14 Rev D
A-3075 Block 15 Rev G
A-3076 Block 15 Rev F
A-3077 Block 15 Rev F
A-3078 Block 15 Rev E
A-3085 Block 16 Rev D
A-3205 Block 38 Rev E
A-3210 Block 39 Rev D
A-3211 Block 39 Rev D
A-3215 Block 40 Rev E
A-3220 Block 41 Rev C
A-3225 Block 42 Rev D
A-3226 Block 42 Rev D
A-3230 Block 43 Rev F
A-3235 Block 44 Rev D
A-3236 Block 44 Rev D
A-3240 Block 45 Rev C
A-3245 Block 46 Rev D
A-3250 Block 47 Rev C
A-3255 Block 48 Rev C
A-3256 Block 48 Rev D
A-3260 Block 49 Rev E
A-3261 Block 49 Rev E
A-3265 Block 50 Rev D
A-3270 Block 51 Rev D
A-3275 Block 52 Rev D
A-3276 Block 52 Rev D
A-3280 Block 53 Rev D
A-3285 Block 54 Rev E
A-3290 Block 55 Rev C
A-2371 3BH7.2 Rev D
A-2372 3BH7.2 Rev D
A-2373 3BH7.2 Rev D
A-2374 3BH7.3 Rev D
A-2412 4BH1 Rev D
A-2413 4BH1 Rev D
A-2436 4BH3 Rev D
A-2437 4BH3.1 Rev D
A-2438 4BH3.1 Rev D
A-2439 4BH3.1 Rev A
A-2440 4BH3.1 Rev A
A-2441 4BH3.1 Rev A
A-2442 4BH4 Rev D
A-2443 4BH4 Rev D
A-2444 4BH3.1 Rev A
A-2453 4BH5 Rev D
A-2454 4BH5 Rev D
A-2462 4BH6 Rev D
A-2463 4BH6 Rev C
A-2464 4BH6 Rev C
A-2473 4BH7 Rev C
A-2474 4BH7 Rev C
A-2482 4BH3.1 Rev D
A-2483 4BH3.1 Rev D
A-2484 4BH3.1 Rev B

A-2486 4BH3.1 Rev A

A-2522 5BH2 Rev D
A-2523 5BH2 Rev D
A-2553 5BH5 Rev C
A-2554 3BH15 Rev D
A-2555 4BH3.1 Rev A
A-2556 4BH3.1 Rev A
A-2557 4BH3.1 Rev A
A-2558 4BH3 Rev A
A-3090 Block 17 Rev C
A-3105 Block 19 Rev C
A-3106 Block 19 Rev D
A-3110 Block 20 Rev D
A-3111 Block 20 Rev C
A-3115 Block 21 Rev C
A-3120 Block 22 Rev C
A-3121 Block 22 Rev B
A-3135 Block 24 Rev D
A-3140 Block 25 Rev D
A-3195 Block 36 Rev C
A-3200 Block 37 Rev D
A-3201 Block 37 Rev D

S813/Ph3a/P780-782 Block 26 (Plots 780-782), Floor Plans & Elevations
S813/Ph3a/P783-786 Block 27 (Plots 783-786), Floor Plans & Elevations
S813/Ph3a/P787-793 Block 28 (Plots 787-793), Floor Plans & Elevations
S813/Ph3a/P794-799 Block 29 (Plots 794-799), Floor Plans & Elevations
S813/Ph3a/P800-802 Block 30 (Plots 800-802), Floor Plans & Elevations
S813/Ph3a/P803-804 Block 31 (Plots 803-804), Floor Plans & Elevations
S813/Ph3a/P805-806 Block 32 (Plots 805-806), Floor Plans & Elevations
S813/Ph3a/P807-809 Block 33 (Plots 807-809), Floor Plans & Elevations
S813/Ph3a/P810-814 Block 34 (Plots 810-814), Floor Plans & Elevations
S813/Ph3a/P815-820 Block 35 (Plots 815-820), Floor Plans & Elevations

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 permitted by this planning permission shall only be carried out in accordance with the approved Environmental Statement (October 2010 / project reference 12260816-002 / WSP) and the following mitigation measures detailed within the Environmental Statement:

1. As identified within section 11 of the ES "Ecology and Nature Conservation" parts 11.5.10, 11.5.11, 11.5.12, the water vole mitigation proposed shall be followed. Prior to works commencing a water vole survey will be required, undertaken by a suitably qualified ecologist. If field signs are confirmed a scheme for mitigation shall be submitted for approval to the Local Planning Authority.

Reason: This condition is necessary to protect the water vole (Arvicola terrestris) and its habitat within and adjacent to the development site. Without it, avoidable damage could be caused to the nature conservation value of the site contrary to national planning policy. The applicant could also be liable to criminal prosecution under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000).

4 The Construction Environmental Management Plan (CEMP) submitted to the Local Planning Authority on 28th January 2008 shall be adhered to in the development hereby approved, and this shall include the undertaking of risk assessments as detailed construction methods become known, and the production of method statements to be developed to control the risks identified. These assessments and method statements shall be made available to the Local Planning Authority at any time on its request. Should the Authority not agree with any such risk assessment or method statement, then it shall be revised and represented to the Authority for its written approval.

Reason: To ensure that development adheres to the Environmental Statement which formed part of the outline permission BE/54/04, which the current application is intended to support.

5 All garages, (including any integral garages), parking spaces and cycle parking facilities shall be provided in accordance with the approved plans prior to the occupation of the dwelling (s) which they are intended to serve. Thereafter they shall be permanently retained for vehicle and cycle parking purposes.

Reason. In the interests of highway safety and to ensure that facilities are provided and retained for a range of transport modes in accordance with the NPPF.

6 Details of the siting and size of the storm water tanks shall be submitted to and approved in writing by the local planning authority before devlopment is commenced.

Reason: To ensure the proper drainage of the site in accordance with policy GEN9 of the Arun District Local Plan.

INFORMATIVE: The applicant is advised that, as from 6 April 2008, the submission of a 'Site Waste Management Plan' (SWMP) is mandatory for all construction projects in England with a project cost greater than £300,000 (excluding VAT) under the provisions of Section 54 of the Clean Neighbourhoods and Environment Act 2005. Further information on the requirements of SWMPs and how they should be applied in practice can be obtained from DEFRA, 6/F7 6D, Ergon House, Horseferry Road, London, SW1P 2AL, Tel. (0207) 2384847 or at their website: www.defra.gov.uk/constructionwaste

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.

Case Officer: Mr N Crowther

Date of Decision: **28 October 2013**

Karl Roberts
Assistant Director Planning & Economic Regeneration

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

NOTES RELATING TO PLANNING APPLICATION
TOWN AND COUNTRY PLANNING ACT 1990
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 First 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 your local planning authority's decision on your application, 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 your local planning authority's decision on your application, 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.

For all other cases, if you want to appeal, then you must do so within 6 months of the date of this notice using a form which you can get from the Secretary of State at the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or on line at www.planningportal.gov.uk/pcs

If this decision is a refusal relating to a minor commercial development, where the application was made on or after 1 October 2013, please note that you must appeal within 12 weeks of the date of this notice. For a definition of minor commercial development please refer to The Town and Country Planning (Appeals) (Written Representations Procedure and Advertisements) (England) (Amendment) Regulations 2013 or contact this office for clarification.

The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

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 &

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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).