

DECISION NOTICE

Application Ref: BN/12/19/PL

1 To Addressee

Mr A Eitel
fiftypointeight Architecture & Interiors
Stocklund House
East Street
Chichester
PO19 1JE

2 Site Address

The Cottage Piggeries
Church Lane
Barnham
PO22 0DB

3 Description of Development

Application for variation of condition imposed on planning reference BN/19/18/PL relating to condition 2
- amended floor & elevation plans

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 8th August 2018 (being the date that planning permission was granted for BN/19/18/PL).

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:

C0117-P001 Rev A "Location Plan";
C0117-P002 Rev B "Site Layout Plan";
C0117-P101 Rev C "Proposed Ground Floor Plan";
C0117-P102 Rev E "Proposed First Floor Plan";
C0117-P205 Rev C "Garage - Proposed South East Elevation";
C0117-P204 Rev D "Proposed South West Elevation";
C0117-P201 Rev C "Proposed South East Elevation";
C0117-P202 Rev D "Proposed North East Elevation";

C0117-P203 Rev C "Proposed North West Elevation";
C0117-P217 "Proposed Section A";
C0117-P103 Rev D "Proposed Roof (Second Floor Accommodation) Plan"; and
C0117-P104 "Proposed Roof Plan".

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

- 3 The development shall be implemented in accordance with the surface water drainage scheme which was approved by the Local Planning Authority on the 10th April 2019 (ref BN/14/19/DOC) and which consisted of the "Surface Water Drainage" drawing ref 2014/SK2, the "Surface Water Drainage Construction Details" drawing ref 2014/SK5 and the Micro Drainage Test results dated 23/03/19. The approved drainage scheme shall be fully implemented prior to occupation of either of the dwellings and shall be permanently retained in good working order thereafter.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM2 and WDM3 of the Arun Local Plan.

- 4 The development shall be implemented in accordance with the materials as approved by the Local Planning Authority on the 17th April 2019 (ref BN/18/19/DOC) and which consisted of the following items

- (1) Welsh Slate Ltd. Natural Roof Tiles (colour: Genuine Dark Blue Grey);
- (2) Red soft mud creased multi brick by Weinerberger (Terca Olde Essex Red Multi);
- (3) Forticrete Portland (through coloured) cast stone quoins & window cills; and
- (4) White uPVC doors, windows, gutters and downpipes.

And which were detailed on the drawing C0117-P401 Rev A "Materials and Finishes Schedule".

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character and appearance of this semi-rural area by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

- 5 The development shall be implemented in accordance with the landscaping scheme as approved by the Local Planning Authority on the 17th April 2019 (ref BN/6/19/DOC) and which was detailed on drawing ref C0117-P005 Rev A "Site Layout Plan - Sandon Boundary Planting Information". The approved landscaping shall be carried out in the first planting and seeding season, following the occupation of the building 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 residential amenity specifically maintaining the privacy of the neighbouring residential property in accordance with policy D DM1 of the Arun Local Plan.

- 6 The development shall be implemented in accordance with the ground levels and finished floor levels as shown on drawing C0117-P002 Rev C "Site Layout Plan - Indicating Proposed Ground Levels" which was approved by the local planning authority on the 10th April 2019 under ref BN/6/19/DOC. Thereafter, there shall be no changes to the site levels other than without the written consent of the Local Planning Authority.

Reason: In order to safeguard the amenities of the area and neighbouring residents in accordance with policy D DM1 of the Arun Local Plan.

- 7 The construction of the dwelling, the garage and the other built development shall only be carried

out in accordance with the "Site Setup During Construction" plan ref C0117-P004 Rev A as approved by the Local Planning Authority on the 10th April 2019 (ref BN/6/19/DOC)

Reason: To avoid undue congestion of the site and consequent obstruction to access in accordance with the NPPF and policy T SP1 of the Arun Local Plan.

- 8 The garage building shall be used only as private domestic garages for the parking of vehicles and cycles incidental to the use of the properties as a dwelling and for no other purposes.

Reason: To ensure adequate off-street provision of parking in the interests of amenity and highway safety and to provide alternative travel options to the use of the car in accordance with the NPPF and policy T SP1 of the Arun Local Plan.

- 9 No external lighting shall be installed on the site or to the building until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The scheme should also minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats) and to minimise unnecessary light spillage outside the development site in accordance with policies QE DM2, QE SP1 and ENV DM5 of the Arun Local Plan.

- 10 Should any sewer be found during construction works then all development activities within 5m of the external edge of the sewer shall cease and they shall not recommence until full details of the proposed measures to be undertaken to protect the existing public sewer have been submitted to and approved in writing by the local planning authority (in conjunction with Southern Water) and then implemented in accordance with the agreed details.

Reason: To ensure that the proposed development does not result in any damage to an existing foul sewer in accordance with policy W DM1 of the Arun Local Plan.

- 11 The first floor bathroom window on the south west elevation of the building shall at all times be glazed with obscured glass and fixed shut to a height of 1.7m above floor level.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy D DM1 of the Arun Local Plan.

- 12 The two new roof level velux windows in the front south east elevation of the building shall at all times be glazed with obscured glass and permanently fixed shut.

Reason: To protect the amenities and privacy of the adjoining property, Sandon, in accordance with policy D DM1 of the Arun Local Plan.

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any order revoking or re-enacting that Order) the roof of the building shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the amenities of adjoining residential occupiers particularly Sandon to the south east in accordance with policy D DM1 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 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: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.



Neil Crowther
Group Head of Planning

Case Officer: Mr S Davis

Decision Issued: 15th July 2019

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