

## TOWN AND COUNTRY PLANNING ACT 1990



## DECISION NOTICE

Application Ref: BN/3/09/

**1 To Addressee**

Mr A Greenwood  
Henry Adams Planning Ltd  
Rowan House  
Baffins Lane  
Chichester  
PO19 1UA

**2 Site Address**

Barnham Community Hall  
Yapton Road  
Barnham

**3 Description of Development**

Replacement village hall together with the erection of a terrace of 4 no. 2 bed houses and 4 no. 3 bed houses on former village hall site, relocation of vehicular access. (Departure from the Development Plan)

**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 plan and subject to compliance with the conditions specified.

**CONDITION 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).

**CONDITION 2** This permission relates to the amended plan submitted on 12th March 2009 and not to the plan originally submitted.

Reason: For the avoidance of doubt.

**CONDITION 3** No more than 50% of the dwellings hereby permitted shall be occupied prior to commencement of the construction works for the new village hall.

Reason: The site lies within the countryside where residential development would normally be resisted. Permission has only been granted in this instance because the new dwellings would be enabling development through funding the new village hall.

CONDITION 4 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the proposed hall and dwellings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings. \*

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 5 No development shall be carried out until all buildings and structures existing on the application site at the date of this permission have been demolished, the debris removed from the site and the site cleared.

Reason: In the interests of the amenities of the locality in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 6 The development shall not proceed until details of the proposed surface water and foul drainage and means of disposal have been submitted and approved by the Local Planning Authority. Surface water drainage shall be carried out in accordance with such details and in conjunction with associated building works. No building shall be occupied until the foul drainage works have been carried out in accordance with such details.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7, GEN9 of the Arun District Local Plan.

CONDITION 7 The buildings shall not be occupied until the parking spaces and turning facilities shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policies DEV1, DEV5 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 8 The buildings hereby permitted shall not be occupied until provision has been made within the site in accordance with details to be submitted to and approved by the Local Planning Authority to prevent surface water discharging onto the public highway.

Reason: In the interests of road safety and to accord with approved policy in accordance with policies DEV1, NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 9 The access from the site to the public highway shall be designed, laid out and constructed with kerb radii, visibility splays and sight lines in all respects in accordance with plans and details to be submitted to and approved by the Local Planning Authority before any other operation or use authorised by this permission is commenced.

Reason: In the interests of road safety in accordance with policies DEV1, NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- CONDITION 10** The community hall, hereby approved, shall not be occupied until such time as the details of the cycle parking have been submitted to and approved in writing by the Local Planning Authority. The facility shall thereafter be provided and retained for such use.

Reason: To encourage the use of cycling in accordance with policy DEV4 of the West Sussex Structure Plan and GEN15 of the Arun District Local Plan.

- CONDITION 11** No development shall take place unless and until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping hard and soft, which shall include indication of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

Reason: In the interests of amenity and of the environment of the development in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

- CONDITION 12** Before the development hereby permitted commences, a scheme shall be submitted to and agreed in writing with the Local Planning Authority which specifies the provisions to be made for the control of noises emanating from the site in accordance with Arun Local Plan policy GEN32.

- CONDITION 13** The community centre hereby approved shall not be in use except between the hours of:-

7.00am and 11.00pm on Mondays to Fridays inclusive,  
7.00am and 11.00pm on Saturdays, Sundays or Public Holidays.

Reason: In the interests of amenity in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7 and GEN32 of the Arun District Local Plan.

- CONDITION 14** Details of any external lighting and floodlighting shall be submitted to and approved in writing by the Local Planning Authority (before the use hereby permitted commences and the community hall is occupied). Development shall be carried out in accordance with the approved details.

Reason: to safeguard the amenities of nearby residents in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7, GEN33 of the Arun District Local Plan.

- CONDITION 15** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the side elevations at first floor level or above on the 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 policies DEV1 of the West Sussex Structure Plan and GEN7, DEV19 of the Arun District Local Plan.

- CONDITION 17** 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, this process would include the resiting of the existing street lighting column and bus stop. 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).

**CONDITION 18** 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 Atkins Ltd, Anglo St James House, 39A Southgate Street, Winchester, SO23 9EH (tel no. 01962 858688) or [www.southernwater.co.uk](http://www.southernwater.co.uk).

**CONDITION 19** There is a public sewer located on the site. The exact position of this sewer must be determined on site by the applicant before the layout of the proposed development is implemented. No development shall take place within 3 metres either side of the sewer. No tree planting shall be within 3 metres either side of the centreline of the sewer. No new soakaways should be located within 5 metres of a public sewer.

**INFORMATIVE:** The West Sussex County Council as Highway Authority would remind applicants that they may have to provide on the application site, areas for the parking and unloading of vehicles, temporary contractor buildings, plant and stacks of materials as the use of the adjacent public highway for these purposes may not be acceptable under the terms of the Highways Act.

**INFORMATIVE:** Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

#### **SUMMARY**

This planning permission is granted because although the proposed development does not comply with the countryside policies listed below in that it is a proposal for 8 new dwellings in the countryside and development on land outside the defined built up area boundary, there are other considerations to warrant a decision other than in accordance with the development plan. It is considered that the new community hall and community facilities will provide an essential social need that is unable to be provided elsewhere in the locality. The new dwellings will be on brownfield land and help to fund the new facilities. The development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

#### **RELEVANT POLICIES**

**STRUCTURE PLAN:** DEV1, CH1, LOC1, DEV5, NE11, ERA1, NE8

**LOCAL PLAN:** GEN3, GEN7, GEN12, GEN32, GEN33, AREA5, .

**NATIONAL POLICIES:** PPS1, PPS3, PPS7, PPG13, PPG24, PPG17

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.

Head of Planning Services  
Arun District Council  
The Arun Civic Centre  
Maltravers Road  
Littlehampton  
West Sussex BN17 5LF

Case Officer: Mrs S Leeson

Date of Decision:

13th July 2009

Date Decision Issued:

13th July 2009

Karl Roberts  
Assistant Director Planning Services &  
Housing Strategy

**IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT**