



**The Town & Country Planning Act 1990 (as amended)
Town & country Planning (Development Management
Procedure) (England) Order 2015 - Article 6**
**Application for Approval of Reserved Matters Following
Outline Approval**

DECISION NOTICE

Application Ref: BN/26/15/RES

1 To Addressee

Luken Beck
30 Carlton Crescent
Southampton
Hampshire
SO15 2EW

2 Site Address

Land North of Yapton Road and
East of Garden Crescent

PO22 0AR

3 Description of Development

Approval of reserved matters following outline consent BN/7/12/ for 44 No. dwellings including 30% affordable, comprising of a mix of 2 & 4 bed houses with associated landscaping & works.

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.

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The development hereby approved shall be carried out in accordance with the following approved drawings and details:

Drawing Number 1505/2:09 - Location Plan - Dated June 2015
 Drawing Number 1505/2:10 - Site Plan - Dated March 2015
 Drawing Number 1505/2:36 - Site Sections 1-1 & 2-2 - Dated June 2015
 Drawing Number 1505/2:37 - Cycle Store, 2 Cycles - Dated June 2015
 Drawing Number 1505/2:35 - Elevations, Sheet 20 of 20 - Dated May 2015
 Drawing Number 1505/2:34 - Elevations, Sheet 19 of 20 - Dated May 2015
 Drawing Number 1505/2:33 - Elevations, Sheet 18 of 20 - Dated May 2015
 Drawing Number 1505/2:32 - Elevations, Sheet 17 of 20 - Dated May 2015
 Drawing Number 1505/2:31 - Elevations, Sheet 16 of 20 - Dated May 2015
 Drawing Number 1505/2:30/Rev A - Elevations, Sheet 15 of 20 - Dated July 2015
 Drawing Number 1505/2:29 - Elevations, Sheet 14 of 20 - Dated May 2015
 Drawing Number 1505/2:28 - Elevations, Sheet 13 of 20 - Dated May 2015
 Drawing Number 1505/2:27 - Elevations, Sheet 12 of 20 - Dated May 2015
 Drawing Number 1505/2:26/Rev A - Elevations, Sheet 11 of 20 - Dated July 2015
 Drawing Number 1505/2:25 - Elevations, Sheet 10 of 20 - Dated May 2015
 Drawing Number 1505/2:24 - Elevations, Sheet 9 of 20 - Dated May 2015
 Drawing Number 1505/2:23 - Elevations, Sheet 8 of 20 - Dated May 2015
 Drawing Number 1505/2:22 - Elevations, Sheet 7 of 20 - Dated May 2015
 Drawing Number 1505/2:21 - Elevations, Sheet 6 of 20 - Dated May 2015
 Drawing Number 1505/2:20 - Elevations, Sheet 5 of 20 - Dated May 2015
 Drawing Number 1505/2:19 - Elevations, Sheet 4 of 20 - Dated May 2015
 Drawing Number 1505/2:18 - Elevations, Sheet 3 of 20 - Dated May 2015
 Drawing Number 1505/2:17 - Elevations, Sheet 2 of 20 - Dated May 2015
 Drawing Number 1505/2:16 - Elevations, Sheet 1 of 20 - Dated May 2015
 Drawing Number 1505/2:15 - Floor Plans, Sheet 5 of 5 - Dated March 2015
 Drawing Number 1505/2:14 - Floor Plans, Sheet 4 of 5 - Dated March 2015
 Drawing Number 1505/2:13/ rev A - Floor Plans, Sheet 3 of 5 - Dated July 2015
 Drawing Number 1505/2:12 - Floor Plans, Sheet 2 of 5 - Dated March 2015
 Drawing Number 1505/2:11 - Floor Plans, Sheet 1 of 5 - Dated March 2015
 Illustrative Street Elevations - Street Scenes B-B & D-D - Undated, Received with Application
 Illustrative Street Elevations - Street Scenes C-C & C-C - Undated, Received with Application
 Illustrative Street Elevations - Street Scenes A-A & A-A - Undated, Received with Application
 Drawing Number LLD833/10 - Detailed Planting Plans - Dated 19.06.15
 Drawing Number LLD833/09 - Detailed Planting Plans - Dated 19.06.15
 Drawing Number LLD833/08 - Detailed Planting Plans - Dated 19.06.15
 Drawing Number LLD833/07 - Detailed Planting Plans - Dated 19.06.15
 Drawing Number LLD833/06 - Detailed Planting Plans - Dated 19.06.15
 Drawing Number LLD833/04/Rev 02 - Soft Landscape Layout - Dated 25.06.15
 Drawing Number LLD833/03 Rev 04 - Landscape Masterplan - Dated 25.06.15
 Drawing Number LLD833/02/Rev 04 - Tree Retention & Protection - Dated 24.06.15
 Drawing Number LLD833/01/Rev 03 - Tree Constraints Drawing - Dated 12.06.15
 Arboricultural Impact Assessment & Tree Protection Method Statement - Dated 23.06.15.
 Tree Retention & Protection Plan, Existing Tree Schedule - Dated 23 June 2015

Drawing Number ENC/240315/559, 1 of 3 - Topographical Survey - Dated March 2015

Drawing Number ENC/240315/559, 2 of 3 - Topographical Survey - Dated March 2015

Drawing Number ENC/240315/559, 3 of 3 - Topographical Survey - Dated March 2015

Drawing Number ITB10358-GA-005 - Visibility Splays - Dated April 2015

Technical Note, Transport Statement - Dated 24 June 2015

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Adopted Arun District Local Plan.

- 2 The dwellings shall not be occupied until the parking spaces, turning facilities and garages 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, turning and garaging of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in accordance with GEN7 of the Adopted Arun District Local Plan

- 3 The development shall not commence until full details of the proposed foul and surface water drainage disposal scheme have been submitted to and approved in writing by the Local Planning Authority. (Including details of its routing, design, and subsequent management/maintenance).

No building shall be occupied until the foul and surface water drainage disposal scheme has been implemented in accordance with the approved details and the details so approved shall be retained 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.

- 4 The proposed planting plan of the planting of at least 68 standard/ heavy standards must be adhered to, as to mitigate the loss of the outlined 11 standards and partial removal of TG45.

All tree planting comprised in the approved details shall be carried out not later than the first planting season following the occupation the dwellings and any trees or plants which within a period of 5 years from the completion of the 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: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Adopted Arun District Local Plan.

- 5 Once the static protective fencing has been erected (as outlined in section 3.3/3.5 of the application), the Local planning authority arboricultural officer must be contacted to ensure the fencing is correctly placed. This fencing must be erected and kept in place for the duration of the development works. Any need for construction access into RPA areas must be facilitated with a ground protection zone (made up from a heavy duty geotextile Membrane that is suitable for the weight of the machine which requires access).

REASON: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice and in the interests of amenity and the environment in accordance with policy GEN7 of the Adopted Arun District Local Plan.

- 6 When excavating for the new developments foundations any root structure exposed with a diameter over 25 mm should be retained. If the operators wish to remove roots of over 25mm in diameter, then the LPA arboricultural officer must be informed to supervise any root pruning/removal. Any exposed root/s is to be wrapped in dry Hessian wrapping to avoid drying.

REASON: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice and in the interests of amenity and the environment in accordance with policy GEN7 of the Adopted Arun District Local Plan.

- 7 Any use of a trenchless pipework system should be used at a depth of at least 750 mm, as to reduce impacts on established root systems. Also entry and retrieval points for the trenchless system should be made outside the RPA of the given trees.

REASON: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice and in the interests of amenity and the environment in accordance with policy GEN7 of the Adopted Arun District Local Plan.

- 8 In respect of Crown Reduction all side branches to be retained must be at least 1/3rd in diameter of the removed branch. Pruning cuts must be flat and smooth, kept as small as possible by cutting at an optimum angle and must not exceed 100mm in diameter.

REASON: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice and in the interests of amenity and the environment in accordance with policy GEN7 of the Adopted Arun District Local Plan.

- 9 Crown Cleaning must consist of deadwood and stub removal where all cuts must be made to the branch collar. Where crossing branches are encountered the weaker branch/branches must be reduced or removed to avoid contact between them. The remaining branch/branches must be shortened as appropriate to relieve 'end weight' and sudden exposure by reducing the leaf bearing branch tips by no more than 30%.

REASON: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice and in the interests of amenity and the environment in accordance with policy GEN7 of the Adopted Arun District Local Plan.

- 10 In respect of Crown Lifting all branches found within the clearance height having diameters greater than 100mm should be shortened and no more than 15% of the leaf bearing growth of that branch should be removed to facilitate the unobstructed free passage of vehicles and pedestrians.

REASON: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice and in the interests of amenity and the environment in accordance with policy GEN7 of the Adopted Arun District Local Plan.

- 11 The dwellings shall not be occupied until the parking spaces and turning facilities and garages shown on the submitted plans have been provided and constructed. The parking spaces and turning facilities and garages so provided shall not thereafter be used for any purpose other than the parking, turning and garaging 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 GEN7 and GEN12 of the Adopted Arun District Local Plan.

- 12 Notwithstanding the provisions of Class A, A.1, (g) within 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 larger rear extensions to the dwelling houses shall be erected within the curtilage of the dwellings hereby permitted unless planning permission is first 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 GEN7 of the Adopted Arun District Local Plan.

INFORMATIVE: The applicant is advised that due to the proximity of the development and works to the railway line adjoining the northern site boundary, Network Rail must be consulted in respect of works likely to affect the permanent way before carrying out such works.

Network Rail can be contacted as follows:

Network rail
1 Eversholt Street
London
NW1 2DN

INFORMATIVE: Southern Water (SW) has advised that no new soakaways, swales, ponds, watercourses or other surface water retaining or conveying features should be located within 5m of a public gravity sewer. SW has further advised that no new development or tree planting should be carried out within 3 metres of protected infrastructure.

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: This decision has been granted in conjunction with a Section 106 Legal Agreement completed in relation to the outline planning permission (BN/7/12/) to which this application relates and making provision for the delivery of:

Affordable Housing on Site
Local Areas for Play Contribution
NHS Contribution
Fire & Rescue Contribution
Fire Hydrant(s)
Library Contribution
Index Linking
Legal Costs
Monitoring Costs

All as set out in the completed and sealed Agreement dated 07 January 2013.

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.



Karl Roberts
Director Planning & Economic Regeneration

Case Officer: Ross Leal

Date of Decision:

23 October 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