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: BN/38/24/PL

1 **To Addressee**

Smith Simmons & Partners
32 North Street
Chichester
PO19 1LX

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2 **Site Address**

Land to the rear of The Croft Surgery
Barnham Road
Eastergate
PO20 3RP

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3 **Description of Development**

Construction of 21 No. dwellings, access, landscaping and associated works. This application is in CIL Zone 2 and is CIL Liable as new dwellings.

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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 following conditions and 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 and documents:

* Location Plan - 0001 Rev P04
* Proposed Block Plan - 0005 Rev P10
* Proposed Site Plan - 0006 Rev P13
* Proposed Site Plan (wider site) - 0009 Rev P04
* Proposed Street Scenes - 0050 Rev P04
* Proposed Affordable Unit Plan - 0008 Rev P05
* Plot 1 and 2 Proposed Ground Floor Plan Type D - 2B4P - 0010 Rev P07
* Plot 1 and 2 Proposed Roof Plan Type D - 2B4P - 0011 Rev P06
* Plot 1 and 2 Proposed North and South Elevation Plan Type D -2B4P - 0012 Rev P07
* Plot 1 and 2 Proposed East and West Elevation Plan Type D -2B4P - 0013 Rev P07

* Plot 3 and 5 Proposed Ground Floor Plan Type C and A - 2B3P & 1B2P - 0014 Rev P06
* Plot 3 and 5 Proposed Roof Plan Type C and A - 2B3P & 1B2P - 0015 Rev P06
* Plot 3 and 5 Proposed North and South Elevation Plan Type C and A - 2B3P & 1B2P - 0017 Rev P06
* Plot 3 and 5 Proposed East and West Elevation Plan Type C and A - 2B3P & 1B2P - 0016 Rev P06
* Plot 6 and 7 Proposed Ground Floor Plan Type E - 2B4P - 0018 Rev P07
* Plot 6 and 7 Proposed Roof Plan Type E - 2B4P - 0019 Rev P06
* Plot 6 and 7 Proposed East and West Elevation Plan Type E - 2B4P - 0020 Rev P07
* Plot 6 and 7 Proposed North and South Elevation Plan Type E - 2B4P - 0021 Rev P07
* Plot 8 Proposed Ground and Roof Plan Type G - 3B5P - 0022 Rev P06
* Plot 8 Proposed Elevation Plan Type G - 3B5P - 0023 RevP07
* Plot 9 Proposed Ground and Roof Plan Type G - 3B5P - 0024 Rev P06
* Plot 9 Proposed Elevation Plan Type G - 3B5P - 0025 Rev P07
* Plot 10-12 Proposed Ground Floor Plan Type C, A, & B -3B4P,1B2P,2B3P - 0026 Rev P06
* Plot 10-12 Proposed Roof Plan Type C, A, & B -3B4P,1B2P,2B3P - 0027 Rev P05
* Plot 10-12 Proposed East and West Elevation Plan Type C, A, & B -3B4P,1B2P,2B3P - 0028 Rev P07
* Plot 10-12 Proposed North and South Elevation Plan Type C, A, & B -3B4P,1B2P,2B3P - 0029 Rev P06
* Plot 13 Proposed Ground and Roof Plan Type F - 3B5P - 0030 Rev P07
* Plot 13 Proposed Elevation Plan Type F - 3B5P - 0031 Rev P06
* Plot 14 Proposed Ground and Roof Plan Type F.1 - 3B5P - 0032 Rev P06
* Plot 14 Proposed Elevation Plan Type F.1 - 3B5P - 0033 Rev P06
* Plot 15 Proposed Ground and Roof Plan Type F - 3B5P - 0034 Rev P06
* Plot 15 Proposed Elevations Roof Plan Type F - 3B5P - 0035 Rev P06
* Plot 16 Proposed Ground and Roof Plan Type F.1 - 3B5P - 0036 Rev P06
* Plot 16 Proposed Elevation Roof Plan Type F.1 - 3B5P - 0037 Rev P06
* Plot 17 Proposed Ground and Roof Plan Type F - 3B5P - 0038 Rev P06
* Plot 17 Proposed Elevation Roof Plan Type F - 3B5P - 0039 Rev P06
* Plot 18 Proposed Ground and Roof Plan Type F.1 - 3B5P - 0040 Rev P06
* Plot 18 Proposed Elevation Plan Type F.1 - 3B5P - 0041 Rev P06
* Plot 19 Proposed Ground and Roof Plan Type F - 3B5P - 0042 Rev P06
* Plot 19 Proposed Elevation Plan Type F - 3B5P - 0043 Rev P06
* Plot 20 Proposed Ground and Roof Plan Type H - 3B6P - 0044 P07
* Plot 20 Proposed Elevation Roof Plan Type H - 3B6P - 0045 Rev P07
* Plot 21 Proposed Ground and Roof Plan Type H - 3B6P - 0046 Rev P06
* Plot 21 Proposed Elevation Plan Type H - 3B6P - 0047 Rev P07
* Landscape General Arrangement - 2506-TFC-XX-00-DR-L-1002 P02
* Landscape General Arrangement - 2506-TFC-XX-00-DR-L-1001 P06
* C2870_101_P2_Proposed Drainage Strategy Design Sheet 1, prepared by CGS Civils, Rev P2, 24.05.24
* C2870_102_P2_Proposed Drainage Strategy Design Sheet 2, prepared by CGS Civils, Rev P2, 24.05.24
* C2870_201_P2_Proposed Contributing Area, prepared by CGS Civils, Rev P2, 24.05.24
* C2870_301_ P2_Exceedance Flows, prepared by CGS Civils, Rev P2, 24.05.24
* C2870_401_Proposed Indicative Site Levels Sheet 1, prepared by CGS Civils, Rev P - 24.05.24
* C2870_402_Proposed Indicative Site Levels Sheet 2, prepared by CGS Civils, Rev P - 24.05.24
* C2870_501_Proposed Construction Details, prepared by CGS Civils, Rev P - 13.02.24
* C2870_P1_Appendicies_Drainage Report_FW Report, prepared by CGS Civils, Rev P1 - 19.03.23
* C2870_P1_Croft Surgery, Eastergate_FRA pdf prepared by CGS Civils, Rev P1 - 19.03.23

* C2870_P1_Maintenance Schedule
* C2870_P1_Drainage Report_FW Report
* C2870_P3__SW_Drainage Report_Appendic A_B prepared by CGS Civils, Rev P1 - 19.03.23
* C2870_P3_SW_Drainage Report_Appendic D_E prepared by CGS Civils, Rev P1 - 19.03.23
* C2870_P3_SW_Drainage Report_Appendix C prepared by CGS Civils, Rev P1 - 19.03.23
* Energy and Sustainability Statement - Rev B 19/3/24
* Soil Resources Plan - Feb 2024
* Retention & Protection Plan, dwg. 2579-02-P1.
* Arboricultural Impact Assessment & Method Statement, 2579 Rev-01, 12 March 2024.
* Preliminary Ecological Appraisal - April 2023
* Ecological Impact Assessment - March 2024

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

3 No development/demolition/levels changes (apart from any survey works required by other conditions) shall take place and no heavy plant shall be introduced to the site, unless and until written confirmation (supported by photographic evidence) is provided by the Arboricultural Expert representing the site owner(s) that all protective fencing has been positioned as shown on the Retention & Protection Plan, dwg. 2579-02-P1.

Reasons: To comply with BS5837:2012 and ensure the retention of trees which are an important feature of the area, in accordance with Policy D DM1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as the protection and retention of trees goes to the heart of the planning permission.

4 No development shall take place, until a Construction & Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority (who shall consult with National Highways, WSCC Highways, the council's Environmental Health Officer and Ecologist as appropriate). Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. This shall require the applicant and contractors to minimise disturbance during demolition and construction and will include (but not be limited to) details of the following information for approval:

1.The anticipated, number, frequency, types, and timing of vehicles used during construction (construction vehicles should avoid the strategic road network during the peak hours of 0800-0900 and 1700-1800 where practicable).
2. The preferred road routing for all construction traffic associated with the development.
3. Provision of wheel washing facilities (details of their operation & location) and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulations Orders).
4. A scheme for recycling/disposing of waste resulting from demolition and construction works (i.e., no burning permitted).
5. Details of areas for the loading, unloading, parking, and turning of vehicles associated with the construction of the development.
6. Details of areas to be used for the storage of plant and materials associated with the development.
7. Details of the temporary construction site enclosure to be used throughout the course of construction (including access gates, decorative displays & facilities for public viewing, where appropriate).
8. Contact details for the site contractor, site foreman and CDM co-ordinator (including out-of-hours contact details).
9. Details of the arrangements for public engagement/consultation both prior to and continued liaison during the construction works.

10. Details of any temporary traffic management that may be required to facilitate the development including chapter 8 traffic signage.
11. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s).

Details of how measures will be put in place to address any environmental problems arising from any of the above shall be provided. A named person shall be appointed by the applicant to deal with complaints, shall be available on site and their availability made known to all relevant parties.

No demolition/construction activities shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no work on Sunday or Bank/Public Holidays.

Reason: In the interests of the safety/amenity of nearby residents and occupiers of any nearby noise sensitive premises, the safety and general amenities of the area, and in the interests of highway safety in accordance with policies D DM1, QE SP1, QE DM1, QE DM2, QE DM3 and T SP1 of the Arun Local Plan and the NPPF. This is required to be a pre-commencement condition because it is necessary to have the construction site set-up agreed prior to access by construction staff.

6 The approved new Biodiversity Net Gain scheme 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 agreed as part of the scheme which, within a period of thirty (30) 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 demonstrating and maintaining Biodiversity Net Gain measures in accordance with Arun Local Plan policy ENV DM5 and the NPPF.

7 No development above damp-proof course (DPC) level shall take place unless and until details of the proposed location of the required fire hydrants have been submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service.

Prior to the first occupation of any dwelling forming part of the proposed development, the applicant/developer shall at their own expense install the required fire hydrants (or in a phased programme if a large development) in the approved locations to BS:750 standards or stored water supply and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

The fire hydrants shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner/occupier if the installation is retained as a private network.

Reason: In the interests of amenity and in accordance with policy INF SP1 and T SP1 of the Arun Local Plan and in accordance with The Fire & Rescue Service Act 2004.

8 Prior to first use of the development construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the Local Planning Authority. The scheme shall then be constructed as per the agreed drawings, method statement, (prepared by

cgs civils, dated June 2024,Rev.P.3) and remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with the NPPF and Arun Local Plan policies W DM2 and W DM3. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

9 The development hereby approved shall not be brought into use until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first use of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:
1. A timetable for its implementation.
2. Details of SuDS features and connecting drainage structures and maintenance requirement for each aspect.
3. Details of SuDS features and connecting drainage structures and maintenance requirement for each aspect.
4.. A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policy W DM2 Flood Risk in Arun Local Plan.

10 Upon completion of the surface water drainage system, including any SuDS features, and prior to the first occupation of the development; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policy W DM2 Flood Risk in Arun Local Plan.

11 The approved details of the landscaping and Local Area of Play (LAP) as shown on 'Landscape and General Arrangement L-1002' and 'Landscape and General Arrangement L-1011' 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 Arun Local Plan policy D DM1.

12 All activity at the site is to be carried out in strict accordance with the Arboricultural Impact

Assessment & Method Statement, 2579 Rev-01, 12 March 2024.

If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones, then prior to their installation a Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced out on site.

Reason: To comply with BS5837:2012 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area in accordance with Arun Local Plan policies ENV DM4 and D DM1.

13 If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun Local Plan policies QE SP1 and QE DM4.

14 No dwelling shall be first occupied until the car parking serving the dwellings has been constructed in accordance with the approved site plan (0006 Rev P13). Once provided the spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use and in accordance with Arun Local Plan policy T SP1.

15 Prior to occupation of any of the approved dwellings, the applicant or developer shall provide the dwellings with electric vehicle charge points in accordance with the council's standards as set out in its Parking Standards SPD. This requires that where a dwelling has a driveway or garage then one of those parking spaces shall be provided with a charging point, with ducting then being provided to all other spaces, where appropriate, to provide passive provision for these spaces to be upgraded in future. The individual charge points shall be in accordance with the technical requirements set out in Part S, section 6.2 of the Building Regulations 2010 (as amended). The electric vehicle charge points shall thereafter be retained and maintained in good working condition.

Reason: To mitigate against adverse impacts on local air quality and to promote sustainable travel, in accordance with Arun Local Plan policy QE DM3(c), the Arun Parking Standards SPD and the NPPF.

16 No dwelling shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. The spaces so provided shall be retained in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with Arun Local

Plan policy T SP1.

17 No development above damp-proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed buildings have been submitted to and approved in writing by the Local Planning Authority and the materials so approved shall be used in the construction of the building/extension.

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 Arun Local Plan policies D DM1.

18 Prior to the occupation of any part of the development, the applicant or developer shall ensure that infrastructure is implemented to allow for the provision of the highest available headline speed of broadband provision to future occupants of all of the development from a site-wide network provided as part of the initial highway works and in the construction of frontage thresholds to buildings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site will continue in accordance with the approved strategy.

Reason: To safeguard the amenities of future residents in accordance with Arun Local Plan policy TEL SP1.

19 If the approved development has not commenced prior to April 2025, further supplementary ecological surveys for Reptiles shall be undertaken to inform the preparation and implementation of corresponding phases of ecological measures. The supplementary surveys shall be of an appropriate type for the above habitats and/or species and survey methods shall follow national good practice guidelines.

Reason: To allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended), s40 of the NERC Act 2006 (Priority habitats & species) and Arun Local Plan policy ENV DM5.

20 Details of the proposed biodiversity green roofs shall be submitted to and approved in writing by the Local Planning Authority prior to any development above damp-proof course (DPC) level unless otherwise agreed in writing, the biodiversity roofs shall conform to the following:

1. Intensive green roof or vegetation over the structure with a substrate minimum settled depth of 150mm, or
2. Extensive green roof with substrate of minimum settled depth of 80mm (or 60mm beneath a vegetation blanket) - meeting the requirements of GRO Code 2014,
3. Laid out in accordance with roof plans; hereby approved; and
4. Planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on minimum 75% wildflower planting, and no more than a maximum of 25% sedum coverage).

The biodiversity roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used by people in the case of essential maintenance or repair or escape in case of emergency.

The biodiversity roofs shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Reasons:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with Arun Local Plan policies GI SP1, ENV SP1 and ENV DM5.

21 Prior to any part of the new development being first brought in use/occupied, a bat friendly Lighting Plan shall be submitted to and approved in writing by the Local Planning Authority.

The recommended lighting specification shall use LED's (at 3 lux) with the recommended spectrum being 80% amber and 20% white with a clear view, no UV, a horizontal light spread of less than 70 degrees and a timer. A 3D plan of the illumination level should be supplied so that the Local Planning Authority can assess the potential impact on protected species.

Reason: To allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended), and s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats & species) and Arun Local Plan policy ENV DM5.

22 Details of bat tubes, bricks or boxes shall be submitted to and approved in writing by the Local Planning Authority prior to any development above damp-proof course (DPC) level.

No less than 6 bat tubes, bricks or boxes shall be provided, and the details shall include the exact location, specification, and design of the habitats. The bat tubes, bricks or boxes shall be installed with the development prior to the first occupation/use of the buildings to which they form part or the first use of the space in which they are contained.

The bat tubes, bricks or boxes shall be installed strictly in accordance with the details so approved and shall be permanently maintained in good working condition thereafter.

Reason: To ensure the development provides the maximum possible provision towards the creation of habitats and valuable areas for biodiversity in accordance with Arun Local Plan policies GI SP1, ENV SP1 and ENV DM5.

23 Details of integral nesting bricks shall be submitted to and approved in writing by the Local Planning Authority prior to any development above damp-proof course (DPC) level.

No less than 12 swift nesting bricks shall be provided, and the details shall include the exact location, specification, and design of the bricks. The bricks shall be installed within the development prior to the first occupation/use of the buildings to which they form part or the first use of the space in which they are contained. The number of boxes required is as follows:

The nesting bricks shall be installed strictly in accordance with the details so approved and shall be permanently maintained in good working condition as such thereafter.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with Arun Local Plan policies GI SP1, ENV SP1 and ENV DM5.

24 Details of bee bricks shall be submitted to and approved in writing by the Local Planning Authority prior to any development above damp-proof course (DPC) level.

Details shall include the exact location, specification, and design of the habitats. Bee bricks shall be installed with the development prior to the first occupation/use of the buildings to which they form part or the first use of the space in which they are contained.

The bee bricks shall be installed strictly in accordance with the details so approved and shall be

permanently maintained in good working condition as such thereafter.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with Arun Local Plan policies GI SP1, ENV SP1 and ENV DM5.

25 Notwithstanding the provisions of Part 1, Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) there shall be no rear extensions constructed in the curtilages of plots 8,9,20,21. No extensions under A (g) constructed within the curtilages of plots 1-7,10-19 and there shall be no alterations to any of the approved car ports within the site plots 1,2,6,7, 13-19 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, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with policy D DM1 of the Arun Local Plan.

26 Notwithstanding the provisions of Parts 1 & 20 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (as amended) (or any Order revoking or re-enacting this Order) no dormer/roof extensions to the dwellings as approved shall be constructed unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To maintain adequate interface standards and in the interests of visual amenity in accordance with Arun Local Plan policies D DM1 and QE SP1.

Statutory Biodiversity Gain Plan Condition

5 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (the biodiversity gain condition) that development may not begin unless:

1. A Biodiversity Gain Plan has been submitted to the planning authority, and
2. The planning authority has approved the plan.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which

do not include the use of biodiversity credits.

Reason: In the interests of demonstrating and maintaining Biodiversity Net Gain measures in accordance with Arun Local Plan policy ENV DM5 and the NPPF.

This application is subject to the Community Infrastructure Levy (CIL) as levied under Arun district Council's CIL Charging Schedule as adopted on 15th January 2020.

Shortly you will receive a Liability Notice which includes the calculated charge and person(s) liable to pay. If you have not submitted all the necessary CIL forms such as Assumption for Liability (Form 2) or any appropriate exemption or relief forms available on the Councils website https://www.arun.gov.uk/cil you must do so prior to commencement of your development. Failure to do so would invalidate any claim for exemption or relief. Furthermore, you must remember to submit your Commencement Notice no later than the day before the day on which the chargeable development is to commence. Failure to do so could result in a surcharge of up to £2,500.

INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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: Following approval of details showing the proposed location of all fire hydrant(s) or stored water supply (in accordance with West Sussex Fire and Rescue Service's Guidance Notes) and prior to the first occupation of any dwelling or unit forming part of the proposed new development you are advised to contact West Sussex Fire and Rescue Service (WSFRS) make them aware of all the fire hydrants for the site and their locations. They can then be operated and tested, their location marked up locally and plotted on the water management system and mapping. This information is then available to all fire crews attending the site, essential for locating the nearest fire hydrants available in the vicinity of a fire without delay.

Without this information WSFRS would not be aware of any fire hydrants available on the site and lead to valuable time being spent looking for a water supply to keep the fire appliance supplied with water. Without a supply of water people's lives and properties could be put at undue risk in the event of a fire. Fire hydrant information is to be sent to either the Planning Officer or directly to the Water and Access Department, WSFRS on the details given below: Frs.waterandaccess@westsussex.gov.uk

INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981 (as amended), 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 0345 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: The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing, should such works be required. These temporary works may include the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

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 the New Connections Services Charging Arrangements documents via https://beta.southernwater.co.uk/infrastructurecharges.

INFORMATIVE: This decision will be subject to a s106 legal agreement to secure the following obligations:

AFFORDABLE HOUSING:

6 Affordable dwellings consisting of 4 affordable rented (2 x 1 bed, 2 x 2 bed), 2 First Homes (1 x 2 bed ,1 x 3 bed).

EDUCATION
A financial contribution in accordance with the standard formula to the County Council towards secondary school transport.



Neil Crowther
Group Head of Planning

Case Officer: Amber Willard

Decision Issued: **24th December 2024**

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 6 months 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.

If you intend to submit an appeal that you would like examined by inquiry then you must send notice to the Local Planning Authority and Planning Inspectorate(inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details can be found at www.GOV.uk

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).