



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/42/18/PL

1 To Addressee

Genesis Town Planning
 26 Chapel Street
 Chichester
 West Sussex
 PO19 1DL

2 Site Address

Land At Angels Nursery
 Yapton Road

 PO22 0AY

3 Description of Development

Variation of condition 2 imposed under BN/43/16/PL relating to approved plans.

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 within 3 years from the date of the original planning permission (BN/43/16/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:

Drawing No. 2124/00 - Location Plan
 Drawing No. 078 Rev. 1 - Site Plan
 Drawing No. 081 Rev. 00 - Site Plan Showing Public Open Space
 Drawing No. 03 - Houses 1 to 3 - North & South Elevations
 Drawing No. 04 - Houses 1 to 3 - Ground & First Floor Plans
 Drawing No. 05 - Houses 1 to 3 - West & East Elevations
 Drawing No. 06 - Houses 4 to 7 - South East Elevations
 Drawing No. 07 - Houses 4 to 7 - North West Elevation
 Drawing No. 08 - Houses 4 to 7 - Ground & First Floor Plans
 Drawing No. 09 - Houses 4 to 7 - South West & North East Elevations
 Drawing No. 10 - Houses 8 to 11 - South West Elevation
 Drawing No. 11 - Houses 8 to 11 - North East Elevation
 Drawing No. 12 - Houses 8 to 11 - Ground & First Floor Plans
 Drawing No. 13 - Houses 8 to 11 - South East & North West Elevations
 Drawing No. 14 - Houses 12 to 14 - Elevations
 Drawing No. 15 - Houses 12 to 14 - Ground & First Floor Plans
 Drawing No. 16 - Houses 15 to 20 - South East & North West Elevations
 Drawing No. 17 - Houses 15 to 20 - South East Elevation - Part 1
 Drawing No. 18 - Houses 15 to 20 - South East Elevation - Part 2
 Drawing No. 19 - Houses 15 to 20 - North West Elevation - Part 1
 Drawing No. 20 - Houses 15 to 20 - North West Elevation - Part 2
 Drawing No. 21 - Houses 15 to 20 - Ground and First Floor Plans - Part 1
 Drawing No. 22 - Houses 15 to 20 - Ground and First Floor Plans - Part 2
 Drawing No. 23 - Houses 15 to 20 - Side Elevations - Part 1
 Drawing No. 24 - Houses 15 to 20 - Side Elevations - Part 2
 Drawing No. 25 - Houses 21 to 26 - North & South Elevations
 Drawing No. 26 - Houses 21 to 23 - North & South Elevations
 Drawing No. 27 - Houses 21 to 23 - Ground & First Floor Plans
 Drawing No. 28 - Houses 24 to 26 - North & South Elevations
 Drawing No. 29 - Houses 24 to 26 - Ground & First Floor Plans
 Drawing No. 30 - Houses 21 to 26 - East & West Elevations
 Drawing No. 31 Rev. 01 - Houses 27 to 28 - Elevations
 Drawing No. 32 - Houses 27 & 28 - Ground & First Floor Plans
 Drawing No. 33 - House 29 - Elevations
 Drawing No. 34 - House 29 - Ground & First Floor Plans
 Drawing No 35 - Houses 30 to 32 - West Elevation
 Drawing No. 36 - Houses 30 to 32 - East Elevation
 Drawing No. 37 - Houses 30 to 32 - Ground & First Floor Plans
 Drawing No. 38 - Houses 30 to 32 - Side Elevations
 Drawing No. 39 - Houses 33 to 40 - North & South Elevations
 Drawing 40 Rev. 01 - Houses 33 to 40 - North Elevation - Part 1
 Drawing No. 41 Rev. 01 - Houses 33 to 40 - North Elevation - Part 2
 Drawing No. 42 Rev. 01 - Houses 33 to 40 - South Elevation - Part 1
 Drawing No. 43 Rev. 01 - Houses 33 to 40 - South Elevation - Part 2
 Drawing No. 44 - Houses 33 to 40 - Ground Floor Plans - Part 1
 Drawing No. 45 - Houses 33 to 40 - Ground Floor Plans - Part 2
 Drawing No. 46 - Houses 33 to 40 - First Floor Plans - Part 1
 Drawing No. 47 - Houses 33 to 40 - First Floor Plans - Part 2
 Drawing No. 48 - Houses 33 to 40 - Second Floor and Roof Plans
 Drawing No. 49 - Houses 33 to 40 - Side Elevations - Part 1
 Drawing No. 50 - Houses 33 to 40 - Side Elevations - Part 2
 Drawing No. 51 - House 41 - Elevations
 Drawing No. 52 - House 41 - Ground & First Floor Plans
 Drawing No. 53 Rev. 01 - Houses 42 to 44 - Elevations

Drawing No. 54 Rev. 01 - Houses 42 to 44 - Ground & First Floor Plans
 Drawing No. 55 - Houses 45 & 46 - Elevations
 Drawing No. 56 - Houses 45 & 46 - Ground & First Floor Plans
 Drawing No. 57 Rev. 04 - Houses 47 to 52 - Elevations
 Drawing No. 58 Rev. 01 - Houses 47 to 52 - Ground Floor Plans
 Drawing No. 59 Rev. 01 - Houses 47 to 52 - First Floor Plans
 Drawing No. 60 Rev. 01 - Houses 53 to 55 - Elevations
 Drawing No. 61 - Houses 53 to 55 - Ground & First Floor Plans
 Drawing No. 62 - Houses 56 to 63 - West & East Elevations
 Drawing No. 63 - Houses 56 to 63 - West Elevation - Part 1
 Drawing No. 64 - Houses 56 to 63 - West Elevation - Part 2
 Drawing No. 65 - Houses 56 to 63 - East Elevation - Part 1
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 Drawing No. 67a - Houses 56 to 59 - Ground Floor Plans
 Drawing No. 67b - Houses 56 to 59 - First Floor Plans
 Drawing No. 68a - Houses 60 to 63 - Ground Floor Plans
 Drawing No. 68b - Houses 60 to 63 - First Floor Plans
 Drawing No. 69 - Houses 56 to 63 - North & South Elevations
 Drawing No. 70 Rev. 01 - House 64 - Elevations
 Drawing No. 71 - House 64 - Ground & First Floor Plans
 Drawing No. 72 Rev. 01 - Houses 65 to 72 - North Elevation
 Drawing No. 73 Rev. 01 - Houses 65 to 72 - South Elevation
 Drawing No. 74 Rev. 01 - Houses 65 to 72 - North Elevation - Part 1
 Drawing No. 75 Rev. 01 - Houses 65 to 72 - North Elevation - Part 2
 Drawing No. 76 Rev. 01 - Houses 65 to 72 - North Elevation - Part 3
 Drawing No. 77 Rev. 01 - Houses 65 to 72 - South Elevation - Part 1
 Drawing No. 78 - Houses 65 to 72 - South Elevation - Part 2
 Drawing No. 79 - Houses 65 to 72 - South Elevation - Part 3
 Drawing No. 80a - Houses 65 to 67 - Ground Floor Plans
 Drawing No. 80b - Houses 65 to 67 - First Floor Plans
 Drawing No. 81a - Houses 68 to 70 - Ground Floor Plans
 Drawing No. 81b - Houses 68 to 70 - First Floor Plans
 Drawing No. 82 - Houses 71 & 72 - Ground & First Floor Plans
 Drawing No. 83 Rev. 01 - Houses 65 to 72 - Side Elevations - Part 1
 Drawing No. 84 Rev. 01 - Houses 65 to 72 - Side Elevations - Part 2
 Drawing No. 85 - House 73 - Elevations
 Drawing No. 86 - House 73 - Ground & First Floor Plans
 Drawing No. 87 - Houses 74 & 75 - Elevations
 Drawing No. 88 - Houses 74 & 75 - Ground & First Floor Plans
 Drawing No. 89 Rev. 01 - Houses 76 to 78 - West Elevations
 Drawing No. 90 Rev. 01 - Houses 76 to 78 - East Elevations
 Drawing No. 91 - Houses 76 to 78 - Ground & First Floor Plans
 Drawing No. 92 - Houses 76 to 78 - North & South Elevations
 Drawing No. 93 - Houses 79 to 82 - East & West Elevations
 Drawing No. 94 - Houses 79 to 82 - Ground & First Floor Plans
 Drawing No. 95 - Houses 79 to 82 - North & South Elevations
 Drawing No. 96 Rev. 01 - Houses 83 to 89 - South Elevation
 Drawing No. 97 Rev. 01 - Houses 83 to 89 - North Elevation
 Drawing No. 98 Rev. 01 - House 83 - Elevations
 Drawing No. 99 - House 83 - Ground & First Floor Plans
 Drawing No. 100 - Houses 84 & 85 - Elevations
 Drawing No. 101 - Houses 84 & 85 - Ground & First Floor Plans
 Drawing No. 102 Rev. 01 - House 86 - Elevations
 Drawing No. 103 - House 86 - Ground & First Floor Plans
 Drawing No. 104 - Houses 87 & 88 - Elevations
 Drawing No. 105 - Houses 87 & 88 - Ground & First Floor Plans
 Drawing No. 106 Rev. 01 - House 89 - Elevations

Drawing No. 107 - House 89 - Ground & First Floor Plans
 Drawing No. 108 Rev. 01 - Houses 90 to 93 - South & North Elevations
 Drawing No. 109 Rev. 01 - House 90 - Elevations
 Drawing No. 110 - House 90 - Ground & First Floor Plans
 Drawing No. 111 Rev. 01 - House 91 - Elevations
 Drawing No. 112 - House 91 - Ground & First Floor Plans
 Drawing No. 113 Rev. 01 - House 92 - Elevations
 Drawing No. 114 - House 92 - Ground & First Floor Plans
 Drawing No. 115 Rev. 01 - House 93 - Elevations
 Drawing No. 116 - House 93 - Ground & First Floor Plans
 Drawing No. 117 - House 94 - Elevations
 Drawing No. 118 - House 94 - Ground & First Floor Plans
 Drawing No. 119 - House 95 - Elevations
 Drawing No. 120 - House 95 - Ground & First Floor Plans
 Drawing No. 121 - Houses 73 & 29 Garages - Plans & Elevations
 Drawing No. 122 - Houses 34 & 35 Garages - Plans & Elevations
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 Drawing No. 124 - Houses 38 to 40 Garages - Plans & Elevations
 Drawing No. 125 Rev. 01 - Bin & Bicycle Stores for Flats - Plans & Elevations

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

- 3 Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SuDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with Policy D DM1, Policy W DM1 and Policy W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because a proper surface water drainage strategy is vital and goes to the heart of the planning permission.

- 4 Immediately following implementation of the approved SuDS scheme and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. There shall be no deviation to the approved scheme other than with the written consent of the Local Planning Authority. The scheme shall thereafter be maintained in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with Policy D DM1, Policy W DM1 and Policy W DM3 of the Arun Local Plan.

- 5 The development shall not proceed until formal consent has been approved in writing from the Lead Local Flood Authority (WSCC) or its agent (ADC) for the discharge of any flows to watercourses, or the culverting, diversion, infilling or obstruction of any watercourse on the site.

Any discharge to a watercourse must be at a rate no greater than the pre-development run off values.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with Policy D DM1, Policy W DM1 and Policy W DM3 of the Arun Local Plan.

- 6 Development shall not commence until full details of the maintenance and management of the SuDS system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include (a) details of financial management of the site including arrangements made in the event that the management company (or any subsequent management company) is no longer able to fulfil its duties; and (b) arrangements for the replacement of major components at the end of the manufacturers recommended design life.

Reason: To ensure the efficient maintenance and on-going operation of the SuDS system and to ensure the best practice in line with guidance set out in 'The SuDS Manual' CIRIA publication ref: C753 Chapter 32, in accordance with Policy D DM1, Policy W DM1 and Policy W DM3 of the Arun Local Plan.

- 7 Upon completed construction of the SuDS System but prior to occupation of any part of the scheme, the owner or management company shall either provide the local planning authority with an updated copy of the management manual incorporating any changes as a result of construction/implementation or confirm in writing that no changes are required to the manual.

No further changes shall be made to the approved SuDS Maintenance & Management Plan/Regime including the management company responsible or the financial arrangements between the owners of the dwellings & the management company other than with the written consent of the Local Planning Authority.

The owner or management company shall thereafter strictly adhere to and implement the recommendations contained within the manual to ensure that the system is maintained in perpetuity.

Reason: To ensure the efficient maintenance and on-going operation of the SuDS system and to ensure the best practice in line with guidance set out in 'The SuDS Manual' CIRIA publication ref: C753 Chapter 32, in accordance with Policy D DM1, Policy W DM1 and Policy W DM3 of the Arun Local Plan.

- 8 The development layout shall not be agreed until such time that arrangements for the future access and maintenance of any watercourse or culvert (piped watercourse) crossing or abutting the site has been submitted and approved in writing by the Local Planning Authority.
- No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities of any watercourse on or adjacent to the site.
- Reason: To ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion.
- 9 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.
- 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 Policy D DM1 and Policy QE DM4 of the Arun Local Plan.
- 10 Prior to development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.
- Reason: To protect the environment and prevent harm to human health by ensuring that the remediated site has been reclaimed in an appropriate standard in accordance with Policy D DM1 and Policy QE DM4 of the Arun Local Plan.
- 11 The applicant shall during the next planting season following the felling of the trees, the subject of this application, plant replacement trees of a species and maturity and in positions approved by the Local Planning Authority and under its supervision and in the event that any such trees die within five years following such planting shall replace them by similar trees in similar positions during the next planting season.
- Reason: To retain trees in the interests of the environment of the locality in accordance with Policy D DM1 of the Arun Local Plan.

- 12 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping 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 Policy D DM1 of the Arun Local Plan.

- 13 No trees/or bushes/growing/and to be retained/on the site shall be damaged, uprooted, felled, topped or lopped without the prior written consent of the Local Planning Authority until 2 years after completion of the development hereby permitted. Any trees removed without such consent or being severely damaged or becoming seriously diseased or dying before the end of that period shall be replaced with trees of such size and species as may be agreed with the Local Planning Authority.

Reason: To ensure the retention of vegetation important to the visual amenity, /the ecological quality/and for the environment of the development in accordance with Policy D DM1 of the Arun Local Plan.

- 14 No trenches, cable or pipe runs for services and drains shall be cut or laid within the Root Protection Area as calculated in accordance to Table 2 of BS5837 (2012) or, if this information is absent, within a distance of 15m from the bole of any existing tree to be retained on this or adjoining sites.

Reason: To protect tree roots from damage likely to lead to the loss of the tree in the interests of the visual amenities of the locality in accordance with Policy D DM1 of the Arun Local Plan.

- 15 No development including site access, demolition or associated construction activities, shall take place on the site unless and until all the existing trees/bushes/hedges to be retained on the site have been protected by a fence in accordance with BS5837 (2012) and Section 9, to be approved by the Local Planning Authority for erection around each tree, group of trees and vegetation to a distance of 15m or to the Root Protection Area (RPA) as calculated in accordance with Table 2 of BS5837 (2012) to be agreed in writing by the Local Planning Authority. Within the areas so fenced off the existing ground must not be cultivated, nor must it be lowered or raised or added to by the importation and spreading of top soil unless agreed by the Local Planning authority. There must be no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without prior written approval of the Local Planning Authority.

No trenching should occur within the protective fencing surrounding the Root Protection Area. If however there is no alternative but to locate the services then its encroachment into the Root Protection Area must be kept to a minimum and where the roots should be exposed using compressed air technology, such as the air spade to reduce damage caused by mechanical methods. If roots requiring severance to allow for the passage of services is necessary then an arboriculturist would be required to assess and determine whether the loss of the roots would be detrimental to the continued health and stability of the affected tree.

Reason: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with Policy D DM1 of the Arun Local Plan.

- 16 No tree planting within 3.0 metres either side of the public sewers and all existing infrastructure should be protected during the course of construction works. No new soakaways should be located within 5m of foul rising main or foul sewer.

Reason: In order to safeguard the public sewer and associated infrastructure in accordance with Policy D DM1 and Policy W DM1 of the Arun Local Plan.

- 17 Prior to the commencement of the development hereby approved, a detailed level survey of the site including existing and resulting ground levels and the slab levels of the building the subject of this approval, shall be submitted to and approved by the Local Planning Authority. The development shall proceed only in accordance with the details thus approved and there shall be no subsequent raising of levels without prior written approval 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.

- 18 No development above damp proof course (DPC) level shall take place 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 building(s)/extension have been submitted to and approved 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 Policy D DM1 of the Arun Local Plan.
- 19 The development, hereby permitted, shall not be commenced until the access and associated off-site highway works have been constructed in accordance with plans and details (including recommendations of any associated Road Safety Audits) to be submitted to and be approved by the LPA after consultation with the County Highway Authority.
- Reason: To ensure fit-for-purpose access constructed to appropriate design and safety standards in accordance with Policy D DM1 of the Arun Local Plan.
- 20 The development, hereby permitted, shall not be occupied until the internal roads and associated infrastructure has been constructed in accordance with plans and details to be submitted to and approved by the LPA after consultation with the CHA. This shall include (but not necessarily be limited to) visibility splays, pedestrian and cycle access considerations, service margins and recommendations of any associated Road Safety Audits.
- Reason: To ensure fit-for-purpose roads constructed to appropriate design and safety standards in accordance with Policy T SP1 of the Arun Local Plan.
- 21 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.
- Reason: To provide car-parking space for the use accordance with Policy T SP1 of the Arun Local Plan.
- 22 No part of the development shall be first occupied until the cycle parking has been constructed in accordance with plans to be submitted to and approved by the LPA after consultation with the CHA.
- Reason: To provide car-parking space for the use accordance with Policy T SP1 and Policy T DM1 of the Arun District Local Plan.

- 23 No development shall be occupied until any disused crossovers and/or accesses no longer required as part of the development, have been permanently removed and reinstated in accordance with Highway Authority specifications to be submitted to and approved by the LPA for consultation with the CHA.
- Reason: To ensure that any access points not required to serve the development are permanently removed to avoid risk of inappropriate re-opening in the future and also in the interests of road safety in accordance with Policy D DM1 and Policy T SP1 of the Arun Local Plan.
- 24 The development, hereby approved, 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 after consultation with the Highway Authority to prevent surface water draining onto the public highway.
- Reason: In the interests of road safety in accordance with Policy D DM1 and Policy T SP1 of the Arun Local Plan.
- 25 The development, hereby approved, shall not be occupied until a scheme for street lighting has been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority after consultation with the Highway Authority.
- Reason: In the interests of road safety in accordance with Policy D DM1 and Policy T SP1 of the Arun Local Plan.
- 26 The development, hereby approved, shall not be occupied until a scheme for landscaping has been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority after consultation with the Highway Authority.
- Reason - In the interests of road safety in accordance with Policy D DM1 of the Arun Local Plan.
- 27 The development, hereby approved, shall not be occupied until a Travel Plan has been provided in accordance with recognised WSCC guidelines and good practice - details to be submitted to and approved by the Local Planning Authority after consultation with the Highway Authority.
- Reason - To encourage sustainable access to and from the development and to reduce the need to travel by private car accordance with Policy T SP1 of the Arun Local Plan.

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Prior to development commencing, a Construction Management Plan shall be submitted to and be approved in writing by the Local Planning Authority after consultation with the Highway Authority. 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:

- the phased programme of construction works;
- the means of access and road routing for all construction traffic associated with the development;
- provision of wheel washing facilities and details of their operation and location;
- details of street sweeping;
- construction working times including delivery times;
- details of a means of suppressing dust arising from the development;
- details of all proposed external lighting to be used during construction;
- details of areas for the loading, unloading, parking and turning of vehicles associated with the construction of the development;
- details of areas to be used for the storage of plant and materials associated with the development;
- details of the temporary construction site enclosure to be used throughout the course of construction (including access gates).
- contact details for the site contractor, site foreman and CDM co-ordinator (including out-of-hours contact details).
- evidence of consultation with neighbours prior to works commencing.
- details of any temporary traffic management that may be required to facilitate the development including Chapter 8 traffic signage
- a Section 59 Agreement (required only if construction traffic exceeds 20 HGV vehicles per day over a six-month period).

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.

Reason: - To ensure safe and neighbourly construction in the interests of amenity and road safety in accordance with Policy D DM1 of the Arun Local Plan.

29

The development shall not commence until full details of the proposed foul water drainage 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 water drainage 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 Policy D DM1 and Policy W DM1 of the Arun Local Plan.

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Details for the storage of waste on the premises shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: To protect the amenities of nearby residents in accordance with Policy D DM1 and Policy WM DM1 of the Arun Local Plan.

- 31 Prior to the commencement of construction works on each phase of the development of any preparatory works a detailed ecological enhancement scheme (which shall include the installation of 4 bat boxes and 15 bird boxes throughout the site) shall be submitted to the LPA for approval and will be based on the recommendations within the supporting ecological statement and as appropriate. All approved details shall then be implemented in full and in accordance with the agreed timings and details.
- Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national guidance and Policy ENV DM4, Policy ENV DM5 and Policy ENV SP1 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because of the need to ensure measures are in place to protect wildlife and habitats on site prior to any disturbance.
- 32 No operational or construction vehicles shall be operated on the site except between the hours of:
- 7.00 and 19.00 on Mondays to Fridays inclusive
7.00 and 13.00 on Saturday
Not at any time on Sundays or Public Holidays
- Reason: In the interests of amenity in accordance with Policy D DM1 of the Arun Local Plan.
- 33 No demolition, ground clearance or vegetation clearance works shall take place within the bird nesting season (between 1 March and 31 August inclusive in any year). If such works cannot be undertaken outside of the nesting season, a nesting bird check shall be required, which should be undertaken by a suitably qualified ecologist immediately prior to the works taking place. Subsequently if any active nest sites are identified, these nests should remain undisturbed until all the young have fledged naturally.
- REASON: To minimise disturbance to nesting birds in accordance with Policy ENV DM4, Policy ENV DM5 and Policy ENV SP1 of the Arun Local Plan.
- 34 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources or equivalent fabric first standards that would secure a 10% reduction in energy use. Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the local planning authority.
- Reason: In order to seek to achieve high levels of energy efficiency in accordance with the aims of the NPPF, in accordance with Policy D DM1 and Policy ECC SP2 of the Arun Local Plan.

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Notwithstanding the provisions of 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 extensions (including porches or dormer windows) to the dwelling houses shall be constructed or buildings shall be erected within the curtilage 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 District Local Plan.

INFORMATIVE: Please note that related to this permission there is an agreement under Section 106 of the Town & Country Planning Act 1990.

INFORMATIVE: The developer is asked to sign up to the Developer and Partner Charter as well as produce a skills and employment plan relating to the site. Details can be provided by Arun District Council Economic Development.

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: Applications for S38 and/or S278 Agreements should be made to WSCC as Highway Authority. Full details are available on the WSCC website.

INFORMATIVE: Roads not forming part of the adopted highway network and/or not intended to be offered for adoption, will not be inspected by the Highway Authority during or after any construction phases. Such roads should, however, be assessed and formally signed-off/approved by a suitable Chartered civil engineer to the satisfaction of the LPA.

INFORMATIVE: The applicant should contact West Sussex County Council Legal Services to obtain necessary information to enter into the Section 59 Agreement under the Highways Act 1980 as referred to in condition 10 above if HGV construction vehicles exceed 20 per day. The Agreement is required to provide a means of making good the public highway following the cessation of construction traffic and building work on the site.

INFORMATIVE: The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.

INFORMATIVE: The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received.

For further information please contact the Environmental Health Department on 01903 737500

INFORMATIVE: The applicant's attention is drawn to the requirements of the Environmental Protection Act 1990 and the Clean Air Act 1993 with regard to burning on site. A 'Statutory Nuisance' may be caused by smoke and ash from fires or noise from the cutting or chipping trees. In addition, air quality could be adversely affected on large projects. The granting of this planning permission does not permit a statutory nuisance to be caused. The Environment Agency should also be contacted regarding Exemption Permits to burn on site.

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.



Neil Crowther
Group Head of Planning

Case Officer: Michael Eastham

Date of Decision:

31 January 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