

Manorwood
Unit 5
Chilgrove Business Centre
Chilgrove
Chichester
PO18 9HU

Please ask for: Mr S Davis
Email: Simon.Davis@arun.gov.uk
Telephone: 01903 737874
Our Ref: BN/48/18/PL
Your Ref:
Date: 12th March 2019

Dear Mr Ben Kirk,

Town and Country Planning (Pre-commencement Conditions) 2018
Notice of intention to impose pre-commencement conditions

Removal Of Existing Building And Erection Of Two New Dwellings. This Application Is A Departure From The Development Plan.

Land North Of Sunnyside Cottages Yapton Road Barnham PO22 0AZ

Arun District Council are proposing to impose pre-commencement conditions on the above application.

A pre-commencement condition is defined in section 100ZA(8) of The Planning Act 1990 as a condition imposed on a grant of planning permission (other than a grant of outline planning permission within the meaning of section 92 of the Planning Act 1990) which must be complied with (a) before any building or operation comprised in the development is begun, or (b) where the development consists of a material change of use of any buildings or other land, before the change of use is begun.

The following Pre Commencement Condition/s are Proposed:

- 4 Development shall not commence, other than works of site survey and investigation, 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, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. 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.

- 5 The development shall not proceed until details have been submitted to and approved in writing by the Local Planning Authority for any proposals: to discharge flows to watercourses; or for the culverting, diversion, infilling or obstruction of any watercourse on or adjacent to the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run-off values. No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities in respect to any watercourse or culvert on or adjacent to the site.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. And 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. It is considered necessary for this to be a pre-commencement condition to protect existing watercourses prior to the construction commencing.

From 1 October 2018 section 100ZA(5) provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition (except in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018).

In order to progress your application you are asked to confirm in writing your acceptance of the proposed condition(s) before the **26th March 2019**. If you are able to provide a substantive response before this date we may be able to issue a decision earlier.

Your other options are:-

- Provide comments before the **26th March 2019** on the proposed pre-commencement condition, in which case that condition cannot be imposed
- Choose not respond (i.e. remain silent). If there is no response by the **26th March 2019** the local planning authority may grant planning permission subject to the terms of the pre-commencement condition specified in the notice
- Indicate before the **26th March 2019** that you do not agree to the terms of the proposed pre-commencement condition, in which case the local planning authority may then either:
 - i grant planning permission without the pre-commencement condition,
 - ii seek written agreement to an alternative pre-commencement condition, or
 - iii refuse to grant permission (if it considers that the disputed pre-commencement condition is necessary to make the development acceptable in planning terms).

If you wish to discuss the contents of this letter, or if there is anything you do not understand, please contact the case officer on the above extension.

Yours sincerely

A handwritten signature in black ink, appearing to be 'NC' with a flourish.

Neil Crowther
Group Head of Planning