



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/49/18/PL

1 To Addressee

Pegasus Group
Pegasus House
Querns Business Centre
Whitworth Road
Cirencester
GL7 1RT

2 Site Address

Land at Former Pollards Nursery,
Lake Lane

PO22 0AF

3 Description of Development

Variation of condition 2 following the grant of BN/19/16/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 before the expiration of 3 years from the date of the granting of permission (BN/19/16/PL).

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2

The planning permission relates to the following approved plans:

- Drawing Number SLP-01 Site Location Plan
- Drawing Number SL-01 Rev. A Site Layout
- Drawing Number 2600-LA-06 P4 - General Arrangement Plan
- Drawing Number 2600-LA-07 P4 - Illustrative Landscape Masterplan
- Drawing Number SS-01 Rev C. - Street Scenes
- Drawing Number EF-CAMB-DM.4.ep1 - Cambridge Elevations (render)
- Drawing Number EF-CAMB-DM.4.ep2 - Cambridge Elevations (brick)
- Drawing Number 2 401 - Oxford Elevation Brick - Code B1
- Drawing Number EF-Oxf+DM.3.p - Oxford + Floor Plans
- Drawing Number 1 402 - Oxford Lifestyle Elevations Render - Code A1
- Drawing Number EF-Cant+DM.4.e - Canterbury Elevations
- Drawing Number EF-Cant+DM.4.p - Canterbury Floor Plans
- Drawing Number EF-Letc+SM.3.e - Ludlow Elevations
- Drawing Number EF-Letc+SM.3.p - Ludlow Floor Plans
- Drawing Number 2600-PP-06 P4 - Planting Plan

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.

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Prior to commencement details of the materials and external finishes of the dwellings should be submitted to the Local Planning Authority for approval in writing. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity, in accordance with Policy D DM1 of the Arun Local Plan.

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No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of effective wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area. It is considered necessary for this to be a pre-commencement condition because the Construction Management Plan needs to be submitted and approved before work commences on site, in accordance with Policy D DM1 of the Arun Local Plan.

- 5 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 the site needs to have adequate drainage.
- 6 A Landscape and Management Plan is submitted for approval in writing by the Local Planning Authority, which details the ongoing management and aftercare of the site once construction is complete. The Landscape and Management Plan should include the following requirements:
- any trees removed should be replaced at a ratio of 2:1.
- The approved details in the Landscape and Management Plan should be implemented in full prior to the occupation of the dwellings and be maintained on site thereafter.
- 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.
- 7 All finished floor levels will be set at least 300mm above the existing ground levels.
- Reason: To prevent flooding, in accordance with Policy D DM1 of the Arun Local Plan.
- 8 No dwelling shall be occupied until the car parking spaces and the covered and secure cycle parking spaces have been constructed in accordance with plans and details submitted to and approved by the Local Planning Authority.
- Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles, and to provide alternative travel options to the use of the car in compliance with current sustainable transport policies in accordance with Policy T SP1 and Policy D DM1 of the Arun Local Plan.
- 9 The garage buildings shall be used only as private domestic garages for the parking of vehicles incidental to the use of the properties as dwellings and for no other purposes.
- Reason: To ensure adequate off-street provision of parking in the interests of amenity and highway safety, in accordance Policy D DM1 of the Arun Local Plan.

- 10 Development shall not commence until details of the proposed means of foul sewerage system have been submitted to, and approved in writing by the Local Planning Authority in consultation with the statutory sewerage undertaker. This shall include details of its siting, design and subsequent management / maintenance. No unit shall be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details.

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. It is considered necessary for this to be a pre-commencement condition because the site needs to be effectively drained before construction commences. It is considered necessary for this to be a pre-commencement condition because the site drainage needs to be approved and implemented before the units are built and occupied.

- 11 Within 3 months of the date of this decision, a Bin Collection Strategy Plan shall be submitted to and be approved by the Local Planning Authority. The dwelling(s) to which the Bin Collection Points relate shall not be occupied until the bin collection points for those dwellings have been provided in accordance with the details so approved.

Reason: To ensure that adequate and satisfactory provision is made for the storage and collection of bins in accordance with Policy D DM1 and Policy WM DM1 of the Arun Local Plan

INFORMATIVE: Submitted drawing no. C75102-D-300 Rev. A, shows the diversion of an existing sewer serving neighbouring property and crossing the proposed site (not shown on Southern Water's records). The details of the proposed diversion need to be agreed and approved by Southern Water before implementing on site. an application under Section 185 (Sewer diversion) of the Water Industry Act 1991 needs to be submitted by the applicant.

INFORMATIVE: All adoptable drainage should be designed and constructed in accordance with SfA standards and Southern Water requirements.

INFORMATIVE: Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel. 0330 303 0119) or www.southernwater.co.uk



Neil Crowther
Group Head of Planning

Case Officer: Michael Eastham

Date of Decision:

1 February 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