



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

DECISION NOTICE

Application Ref: BN/52/16/RES

1 To Addressee

Pegasus Group
Whitworth Road
Cirencester

GL7 1RT

2 Site Address

Land of former Pollards Nursery
Lake Lane

3 Description of Development

Approval of reserved matters following outline consent BN/16/12 & BN/21/14 for appearance, landscaping & scale for erection of 107 dwellings, car parking including garages, internal access roads, footpaths, parking & circulation areas, hard & soft landscaping, formal & informal play areas & public open spaces, attenuation basins, sewage treatment plant & other associated infrastructure & engineering - Duplicate application of BN/51/16/RES

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 approved shall be carried out in accordance with the following approved drawings and submitted material:

Layout Plans

Drawing Number P16_0421_07_1 Site Location Plan, April 2017

Drawing Number P16_0421_23 Rev. C - Site Layout - Dated 02.08.17, submitted 08.02.18

Drawing Number P16_0421_04 Rev. B - House Type Pack - submitted 08.02.18

Drawing Number P16_0421_24-1 Rev. B - Boundary Treatments Plan - submitted 02.03.18

Drawing Number P16_0421_06 - Boundary Treatments Details - Dated 20.09.16

Landscape Plans

Drawing Number 2600-LA-13 Rev. P9 - General Arrangement Plan 1 of 2 - Dated 09.11.16 submitted 08.02.18

Drawing Number 2600-LA-14 Rev. P9 - General Arrangement Plan 2 of 2 - Dated 09.11.16 submitted 08.02.18

Drawing Number 2600-PP-12 Rev. P10 - Planting Plan 1 of 2 - Dated 09.11.16 - submitted 14.02.18

Drawing Number 2600-PP-13 Rev. P10 - Planting Plan 2 of 2 - Dated 09.11.16 - submitted 14.02.18

Drawing Number 2600-SP-01 Rev. P2 - Soft Landscape and Hard Surfaces Specification

Drawing Number 2600-SP-02 Rev. P2 - Soft Landscape and Hard Surfaces Specification

Drawing Number JSL4277_710 Rev. E - Tree Protection Plan (1 of 3) - submitted 08.02.18

Drawing Number JSL4277_711 Rev. E - Tree Protection Plan (2 of 3) - submitted 08.02.18

Drawing Number JSL4277_712 Rev. E - Tree Protection Plan (3 of 3) - submitted 08.02.18

Drawing Number 1707.16693 - Play Space Layout (LEAP) - Dated 31.07.17 submitted 16.08.17

Engineering Plans

Drawing Number C85102-D-128 Rev. B - Site Access - submitted 10.05.17

Drawing Number C85102-D-130 - Existing Access Vehicle Tracking - submitted 10.05.17

Drawing Number C85102-D-131 - Existing Access Vehicle Tracking - submitted 10.05.17

Drawing Number C85102-SK-001 - Access Road Visibility Splays - submitted 10.05.17

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

- 2 No dwelling shall be occupied until the parking spaces, turning facilities and garages for that dwelling shown on the approved plans have been provided and constructed for the dwelling to which they relate. The areas of land so provided shall not thereafter be used for any purpose other than the parking, turning and garaging of vehicles.

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

- 3 Notwithstanding the provisions of Class A, A.1, (g) within Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no rear extensions to the dwelling houses shall be erected within the curtilage of the dwellings hereby permitted unless planning permission is first granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with Policy GEN7 of the Arun District Local Plan.

- 4 Any construction related pruning works are to be completed under supervision of the Local Authority tree officer. Pruning works must meet the BS 3998: 2010 Standards.

Reason: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice and in the interests of amenity and the environment in accordance with Policies GEN7 and GEN28 of the Arun District Local Plan.

- 5 Within 2 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 GEN7 of the Arun District Local Plan.

- 6 Within 2 months of the date of this decision, a replacement tree strategy along the site boundary with 49 Nightingale Lane, shall be submitted to and be approved by the Local Planning Authority. The agreed replacement tree species shall be planted within the first available planting season.

Reason: To ensure that adequate tree screening is provided on the site and in the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice and in the interests of amenity and the environment in accordance with Policies GEN7 and GEN28 of the Arun District Local Plan.

INFORMATIVE: This decision has been granted in conjunction with a Unilateral Undertaking (UU) imposed on the outline planning permission relating to the following -

30% Affordable Housing

Open Space

Landscape Management Plan

Construction Management Plan

Road Safety Audits (RSAs)

Financial Contributions in respect of:

- Highway Works (bus stop improvements);
- Fire and Rescue;
- Libraries; and
- Health.

INFORMATIVE: As the site is adjacent to Network Rail's operational railway infrastructure, Network Rail strongly recommends the developer contacts AssetProtectionWessex@networkrail.co.uk prior to any works commencing on site. More information can also be obtained from our website at www.networkrail.co.uk/asp/1538.aspx

Network Rail can be contacted as follows:

Network Rail
1 Eversholt Street
London
NW1 2DN

INFORMATIVE: The Applicant is advised to consult with the Waste Collection Authority prior to undertaking the swept path analysis exercise in relation to bin collection points to ensure the design vehicle used for the tracking reflects that used locally.

INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the Act.

INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0845 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.

INFORMATIVE: Due to the proximity of the LEAP to a water body then the developer should have the Play area(s) RoSPA assessed. The applicant should indicate connection from gates to pathways by means of footpath - only one footpath is indicated.

INFORMATIVE: The following information was provided in accordance with outline planning permission but are subject to a separate Discharge of Conditions (BN/32/17/DOC) application.

- Condition 10: details of the existing trees and hedges to be retained or removed are shown on the submitted Tree Survey Report, dated October 2015.
- Condition 12: details of the areas of public open space including the play areas are shown on the submitted landscape plans along with details contained in the 'Example Design LEAP' plan and 3D visualisation.
- Condition 14: Landscape Management Plans prepared by Allen Pyke dated October 2016 as submitted.
- Condition 15: details of the 10% energy supply reduction and a timetable for implementation is contained within the report prepared by Southern Energy Consultants Ltd as submitted.

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 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.



Neil Crowther
Group Head of Planning

Case Officer: Michael Eastham

Date of Decision:

2 March 2018

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 public highway (including the placing of skips on highway land).