

DECISION NOTICE

Application Ref: BN/84/20/PL

1 To Addressee

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

2 Site Address

Land at Angels Nursery
Yapton Road
Barnham
PO22 0AY

3 Description of Development

Application for variation of condition 2 (approved plans) imposed on planning permission BN/93/19/PL for the development of 95 dwellings; and consequential changes to other conditions following commencement of development.

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 the following conditions.

1 The development hereby approved shall be carried out in accordance with the following approved plans:

- Drawing No. P19-0723_10 Rev. Q - Site Layout.
- Drawing No. P19-0723_18 Rev. A - Illustrative Street Scenes.
- Drawing No. P19-0723_11 Sheet No. 01 Rev. D - Buxton Elevations (Brick).
- Drawing No. P19-0723_11 Sheet No. 02 Rev. C - Buxton Floor Plans.
- Drawing No. P19-0723_11 Sheet No. 10 Rev. B- Harrogate MSU Elevations & Floor Plans (Brick)
- Drawing No. P19-0723_11 Sheet No. 18 Rev D - 2 Bed Apartments Front Elevation AH (Brick)
- Drawing No. P19-0723_11 Sheet No. 19 Rev. D - Apartments Side Elevation AH (Brick).
- Drawing No. P19-0723_11 Sheet No. 20 Rev. D - Apartments rear elevation AH (brick).
- Drawing No. P19-0723_11 Sheet No. 21 Rev. D - Apartments side elevations AH (brick).
- Drawing No. P19-0723_11 Sheet No. 22 Rev. D - Apartments Ground Floor Plan AH.

- Drawing No. P19-0723_11 Sheet No. 23 Rev. D - Apartments First Floor Plan AH.
- Drawing No. P19-0723_11 Sheet No. 24 Rev. D - Apartments Second Floor Plan AH.
- Drawing No. P19-0723_11 Sheet No. 25 Rev. C - SP2 1 Bed Apartment Elevations AH (Brick).
- Drawing No. P19-0723_11 Sheet No. 26 Rev. C - SP2 1 bed apartment Ground Floor & First Floor Plan AH.
- Drawing No. P19-0723_11 Sheet No. 27 Rev. C - SP2 1 bed apartment second Floor Plan AH.
- Drawing No. P19-0723_11 Sheet No. 30 Rev. B - Cycle and Bin Store Elevations and Floor Plans.
- Drawing No. EF_STRAQ_DM.1 Rev. A - Stratford Lifestyle Heritage Collection F Series Elevations.
- Drawing No. EF_LEAMQ_DM.2 Rev A - Leamington Lifestyle Heritage Collection F Series.
- Drawing No. EF_MARO_DM.3 - Marlow Heritage Collection F Series.
- Drawing No. EF_OXFOQ_DM.4 - Oxford Lifestyle Heritage Collection F Series.
- Drawing No. EF_HENL_DM.6 Rev. A - Henley Heritage Collection F Series.
- Drawing No. EF_HENL_DM.6 Rev. A - Henley Heritage Collection Elevation Details.
- Drawing No. EF_SHAF_DM.7 Rev. C - Shaftesbury Heritage Collection F Series.
- Drawing No. EF_CAMB_DM.8 - Cambridge Heritage Collection F Series.
- Drawing No. EF_HARR_DM.8 Rev. B - Harrogate Lifestyle Heritage Collection F Series.
- Drawing No. EF_TT3_M.4 - Tavy (Floor Block) Heritage Collection F Series.
- Drawing No. EF_TT3_M.4 - Tavy Floor Plans.
- Drawing No. EF_GAR_SGS2 - Heritage Collection Garage.
- Drawing No. EF_GAR_DGT4 - Heritage Collection Garage.
- Drawing No. P19-2044_01 Rev. F - Landscape Masterplan.
- Drawing No. P19-0723_09 Rev. K - Public Open Space.
- Drawing No. P19-2044_02 Rev. D - Detailed Public Open Space Landscape Proposals Sheet 1 of 2.
- Drawing No. P19-2044_02 Rev. D - Detailed Public Open Space Landscape Proposals Sheet 2 of 2.
- Drawing No. 19812-GS-Z1-XX-DR-C-2171 Rev C2 - Refuse Vehicle Tracking.
- Drawing No. 19812-GS-Z1-XX-DR-C-2172 Rev C2 - Fire Tender Vehicle Tracking.
- Drawing No. 19812-GS-Z1-XX-DR-C-2080-Rev. C4 - External Works (Sheet 1 of 2).
- Drawing No. 19812-GS-Z1-XX-DR-C-2081-Rev. C4 - External Works (Sheet 2 of 2).
- Drawing No. S278/38/16 Rev. D - Street Furniture: Ramp Feature
- Drawing No. 19812-GS-Z1-XX-DR-C-2060-C4 - Site Drainage (Sheet 1).
- Drawing No. E199320_01 - Attenuation Tank 1 Detail.
- Tree Survey, Arboricultural Impact Assessment & Method Statement: Angel & Hyde Nursery, Barnham (JSL3362_770), prepared by RPS Group, October 2020.
- Drawing No. 702 Rev. A - Tree Protection Plan.
- Tree Survey Schedule (JSL3362_700) - 26/07/2019.

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.

- 2 The surface water drainage scheme shall be implemented in accordance with the following approved drawings:

- 19812-GS-Z1-XX-DR-C-1016_C2_Section 278 Drainage Layout
- 19812-GS-Z1-XX-DR-C-2060-C4_Site Drainage Sheet 1
- 19812-GS-Z1-XX-DR-C-2061-C3_Site Drainage Sheet 2
- 19812-GS-Z1-XX-DR-C-2101-C1_Private Drainage Construction Details Sht1
- 19812-GS-Z1-XX-DR-C-2102-C1_Private Drainage Construction Details Sht2
- 19812-GS-Z1-XX-DR-C-2103-C4_Private External Works Details
- 19812-GS-Z1-XX-DR-C-2080_C3_External Works Sht1

- 19812-GS-Z1-XX-DR-C-2081_C3_External Works Sht2
- 19812-GS-Z1-XX-DR-C-2105-C1_Main Drainage Details
- 19812-GS-Z1-XX-DR-C-2106-C1_Outfall headwall details
- 19812-GS-Z1-XX-DR-C-2107-C1_Ditch and Land Drain details
- 19812-GS-Z1-XX-DR-C-2108-C1_Pond Sections
- 19812-GS-Z1-XX-DR-C-2109-C1_Ditch Long sections
- 19812-GS-Z1-XX-DR-C-2113-C1_Concrete catch-pit with weir wall
- E199320_01_A Attenuation Tank Detail

Unless otherwise agreed in writing by the Local Planning Authority.

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.

- 3 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.

- 4 The SUDs system shall be maintained and managed in accordance with the approved Drainage Maintenance and Management Statement (Rev 5) prepared by Gyoury Self, unless other agreed in writing by the Local Planning Authority.

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.

- 5 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 and 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.

- 6 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.

- 7 Prior to occupation of any part of the permitted 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.

- 8 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, proposals for long term management and maintenance 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.

- 9 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.

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

- 11 The tree protection measures shall be retained in accordance with the approved Tree Protection Plan (drawing reference: 702 Rev A) during the construction phase. 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.

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; and to ensure the retention and maintenance of trees and vegetation which is an important feature of the area and In order to safeguard the public sewer and associated infrastructure, in accordance with Policy D DM1 of the Arun Local Plan.

- 12 The development hereby approved shall be carried out in accordance with the approved site levels details shown on Site Drainage Sheet 1 (drawing ref: 19812-GS-Z1-XX-DR-C-2060-C4) and Site Drainage Sheet 2 (drawing ref: 19812-GS-Z1-XX-DR-C-2061-C3). 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.

- 13 No development above damp proof course (DPC) level on any building hereby approved 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 that building 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.

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.

- 14 The development, hereby permitted, shall not be occupied 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 Local Planning Authority after consultation with the Local Highway Authority.

Reason: To ensure fit-for-purpose access constructed to appropriate design and safety standards in accordance with Policy D DM1 and Policy T SP1 of the Arun Local Plan.

- 15 No dwelling shall be occupied until the internal roads and associated infrastructure serving that dwelling have been constructed in accordance with plans and details to be submitted to and approved by the Local Planning Authority after consultation with the Local Highway Authority. 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.

- 16 No dwelling shall be occupied until the car parking spaces to serve that dwelling have been constructed in accordance with the approved plans. 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.

- 17 No dwelling shall be occupied until the cycle parking for that dwelling has been constructed in accordance with the approved plans. 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 and Policy T DM1 of the Arun District Local Plan.

- 18 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.

- 19 No development above damp proof course (DPC) level shall take place 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 Local 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.

- 20 No development above damp-proof course (DPC) level shall take place 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.

- 21 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.

- 22 Within 1 month of the date of this decision, a Construction Management Plan shall be submitted to and be approved in writing by the Local Planning 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, waste 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.

- 23 No dwelling shall be occupied until the foul water drainage scheme for that dwelling has been implemented in accordance with the approved details (set out in Drawing Numbers 19377-GS-Z1-XX-DR-C-1060 & 1061 Revision 4, dated 13/09/2018) 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.

- 24 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 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.

- 25 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.

- 26 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. No development above damp proof course (DPC) level shall take place unless and until details and a timetable of how this is to be achieved, including details of physical works on site, have been 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.

- 27 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.

- 28 Within 28 days of the date of this permission, a site meeting should take place between the Local Planning Authority's Tree Officer and the Arboricultural Expert representing the site owner(s). At this meeting all protective fencing and ground protection measures will be inspected to verify they are 'Fit for Purpose' as required under British Standard 5837:2012 and have been erected and positioned exactly as shown on the Tree Protection Plan (Drawing No. 702 Rev. A, October 2020). A schedule of site monitoring / supervision visits and reporting procedures prepared by an Arboricultural Expert will be required and their extent will be agreed on at the site meeting to the satisfaction of the Local Planning Authority's Tree Officer.

All activity at the site is to be carried out in strict accordance with the Arboricultural Impact Assessment & Method Statement (RPS Group Plc ref. JSL3362_770, October 2020).

Reason: To comply with BS5837 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 Policy ENV DM4 of the Arun Local Plan.

- 29 No development above damp proof course (DPC) level shall take place until a scheme for the location and installation of fire hydrants has been submitted to and approved in writing by the Local Planning Authority. For the purposes of this condition the scheme shall be in accordance with the Guidance Note: The Provision of Fire Hydrants and an Adequate Water Supply for Fire Fighting as published by West Sussex Fire and Rescue Services (as amended from time to time). No dwelling hereby permitted shall be occupied until the fire hydrant(s) required to serve that dwelling have been installed in accordance with the approved scheme.

Reason: In order to provide adequate infrastructure for emergency services, in accordance with Policy D DM1 of the Arun Local Plan.

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: Any tree pruning considered essential to enable the agreed development must meet the requirements of BS3998:2010 Tree Work - Recommendations: where whole branches are to be removed and final cuts made close to the trunk or branch union they are to be made as shown on Figure 2 of

BS3998:2010. Where branches are to be shortened back, the final cuts are to be made at the correct angle shown in BS3998:2010 and adjacent to a live bud or lateral; in the interest of continued health and vitality of trees and to accord with current industry guidelines and sound arboricultural practice.

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's Economic Development Team.

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: 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.

INFORMATIVE: Occupation of the development is to be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate waste water network capacity is available to adequately drain the development.

INFORMATIVE: Reference should be made to Southern Water's publication "A Guide to Tree Planting near Water Mains and Sewers" and the Sewerage Sector Guidance with regards to any landscaping proposals and tree planting adjacent to sewers, rising mains and water mains.

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

Decision Issued: **27th November 2020**

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).