



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: BR/324/17/PL

1 To Addressee

Whaleback
 51 Summerfield Road
 West Wittering
 CHICHESTER
 West Sussex
 PO20 8LX

2 Site Address

283-285a Chichester Road
 Bognor Regis
 PO21 5AH

3 Description of Development

Residential Development: restoration of 2 houses and attached commercial annexe to pair of semi-detached houses, replacement of bungalow with pair of semi-detached houses, development of land to rear for eight flats (6 x 2 bed & 2 x 1 bed)

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 compliance with the following conditions and Section 106 Agreement.

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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:

Dwg. 01 Rev A "Location Map";
 Dwg. 03 "Block Plan as Proposed";
 Dwg. 11 Rev B "Site Plan as Proposed";
 Dwg. 12 Rev A "Landscaping Plan as Proposed";
 Dwg. 20 "Ground Floor Plan As Proposed" (Apartments);
 Dwg. 21 "First Floor Plan As Proposed" (Apartments);
 Dwg. 22 Rev A "Second Floor Plan As Proposed" (Apartments);
 Dwg. 25 "Flat Block North Elevation as Proposed";
 Dwg. 26 "Flat Block West Elevation as Proposed";
 Dwg. 27 "Flat Block South Elevation as Proposed";
 Dwg. 28 "Flat Block East Elevation as Proposed";
 Dwg. 35 Rev B "2 Bed House Ground Floor Plans as Proposed";
 Dwg. 36 Rev B "2 Bed House (Elevations) as Proposed";
 Dwg. 39 Rev A "2 Bed House First Floor Plans as Proposed";
 Dwg. 40 "Refuse Store as Proposed";
 Dwg. 45 "Street Elevation as Proposed";
 Dwg. 52 "Ground Floor Plan as Proposed";
 Dwg. 53 "First Floor Plan as Proposed";
 Dwg. 54 "North East Elevation as Proposed";
 Dwg. 55 "South East Elevation as Proposed";
 Dwg. 56 "South West Elevation as Proposed";
 Dwg. 57 "North West Elevation as Proposed";
 Dwg. 2017/3765/001 "Site Overview, Visibility Splays and Parking Swept Path Analysis"; and
 Dwg. 2017/3765/002 "Refuse Vehicle Swept Path Analysis".

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.

No 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 policy W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because it would not be possible to implement a surface drainage scheme once development had commenced.

- 4 Before the site is occupied or any machinery is introduced to the site or demolition work or construction work or alterations to existing ground levels takes place a PRE-COMMENCEMENT Site Meeting is to take place between the Arun DC Tree Officer and the Arboricultural Expert or Landscape Architect representing the site owners - at this meeting all protective fencing will be inspected - this will be assessed to verify that it is 'Fit for Purpose' as required under British Standard 5837:2012 and have been erected and positioned exactly as shown on the Landscaping Plan submitted by ARCHITECTS DESIGN & MANAGEMENT, Dwg.No. 12 Rev A, dated June 2018.

Reasons: To comply with BS5837 and with Arun Local Plan policy ENV DM4 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. This is required to be a pre-commencement condition because it is necessary to ensure the protection of the protected and otherwise significant trees prior to any change to the surface of the site.

- 5 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 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); and
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area in accordance with policies D DM1 and T SP1 of the Arun Local Plan and the National Planning Policy Framework. This is required to be a pre-commencement condition because it is necessary to have the site set-up agreed prior to access by construction traffic.

- 6 Development shall not commence until full details of the proposed measures to be undertaken to protect the existing public sewer which crosses the site have been submitted and approved in writing by the local planning authority (in conjunction with Southern Water). The approved measures shall thereafter be implemented and retained for the duration of the construction process.

Reason: To ensure that the proposed development does not result in any damage to the existing foul sewer in accordance with policies W DM1 and W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because otherwise damage could occur to the sewer.

- 7 Development shall not commence until details of the proposed means of foul sewerage disposal has been submitted to and approved in writing by, the Local Planning Authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme and timetable.

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul sewerage in accordance with policies W DM1 and W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because it would not be possible to implement a foul drainage scheme once development had been completed.

- 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 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 development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character and appearance of this semi-rural area by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

- 10 No part of the flatted building shall be occupied unless and until full details of screening to be installed to the three sides of each balcony to the height of the approved railings have been submitted to and approved by the Local Planning Authority. The screening hereby approved shall then be installed and permanently retained.

Reason: In the interests of the amenity of neighbouring residents in accordance with policy D DM1 of the Arun Local Plan.

- 11 No part of the development shall be first occupied until visibility splays of 43 metres by 0.6 metres have been provided at the proposed site vehicular access onto Chichester Road in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.
- Reason: In the interests of road safety and in accordance with policy T SP1 of the Arun Local Plan 2011-31.
- 12 No part of the development shall be first occupied until pedestrian visibility splays of 2 metres by 2 metres have been provided either side of the proposed site vehicular access onto Chichester Road in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.
- Reason: In the interests of road safety and in accordance with policy T SP1 of the Arun Local Plan 2011-31.
- 13 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority. The secure cycle storage spaces so approved shall be implemented in accordance with the approved details and retained in perpetuity unless otherwise agreed in writing with the local planning authority.
- Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and policy T SP1 of the Arun Local Plan 2011-31.
- 14 No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.
- Reason: To provide adequate on-site car parking and turning space for the development in accordance with policy T SP1 of the Arun Local Plan 2011-31.
- 15 Prior to occupation of any of the dwellings, an electric vehicle charge point shall be installed to serve each dwelling and this shall then be permanently retained and maintained in working condition.
- Reason: New petrol and diesel cars/vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan and the National Planning Policy Framework.

- 16 The residential apartments shall be occupied unless and until the communal bin store has been constructed in accordance with the approved drawing 40 "Refuse Store as Proposed" and the bin store shall thereafter be retained in perpetuity unless otherwise agreed in writing with the local planning authority.
- Reason: To protect the amenities of nearby residents in accordance with Arun Local Plan 2011-2031 policy W DM3.
- 17 Should any additional sewers be found during construction works then all development activities shall cease and not recommence until full details of the proposed measures to be undertaken to protect the public sewer have been submitted and approved in writing by the local planning authority (in conjunction with Southern Water) and then implemented in accordance with the agreed details.
- Reason: To ensure that the proposed development does not result in any damage to the existing foul sewer in accordance with policies W DM1 and W DM3 of the Arun Local Plan.
- 18 The two bathroom and one toilet windows on the eastern and western elevations of the new semi-detached dwellings (formerly 285a) shall at all times be glazed with obscured glass.
- Reason: To protect the amenities and privacy of the adjoining properties in accordance with policy D DM1 of the Arun Local Plan.
- 19 The new WC window on the eastern elevation of the refurbished building (283) shall at all times be glazed with obscured glass.
- Reason: To protect the amenities and privacy of the adjoining properties in accordance with policy D DM1 of the Arun Local Plan.
- 20 All of the bathroom and WC windows on the apartment building shall at all times be glazed with obscured glass.
- Reason: To protect the amenities and privacy of the adjoining properties in accordance with policy D DM1 of the Arun Local Plan.
- 21 The kitchen and lounge windows to the north facing first floor 2 bedroom flat, the north facing first floor stairway window and the second floor north facing lounge window shall at all times be glazed with obscured glass and fixed to be either top vent opening or non-opening.
- Reason: To protect the amenities and privacy of the semi-detached houses and their gardens in accordance with policy D DM1 of the Arun Local Plan.

22 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 any of the dwelling houses shall be constructed or buildings shall be erected within their curtilages 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 Local Plan.

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.

INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.

INFORMATIVE: Drainage Engineers advise that Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE 365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 30% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Supplementary guidance notes are also available on request.

INFORMATIVE: Temporary Works Required During Construction - The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

INFORMATIVE: Please note the comments of our Greenspace Officer in respect of the proposed landscaping: "The scheme proposed has included a comprehensive scheme which is suitable in species choice for location, has allowed for mitigation planting, but is lacking in detail. The proposed planting scheme should be detailed in plan form with species choice, actual numbers proposed per planting location, planting density and size at time of planting. This information would then ensure that the complete picture of the proposals can be seen."

INFORMATIVE: Please note the comments of our Environmental Health Officers:

- Appropriate fire precaution facilities and equipment must be provided of such type, number

and location as are considered necessary. Guidance on fire safety is contained in the LACORS guidance document "Housing - Fire Safety, Guidance on fire safety precautions for certain types of existing housing";

- Any bathrooms and kitchens without windows for natural ventilation should have adequate mechanical ventilation; and

- Must meet the requirements of the Housing Act 2004 and be free of Category 1 and significant Category 2 Hazards.

INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to a financial contribution of £6,968 towards the Pagham Harbour Access Management Mitigation Measures.

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.

Case Officer: Mr S Davis

Date of Decision:

12 September 2018



Neil Crowther
Group Head of Planning

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).

