

DECISION NOTICE

Application Ref: BR/34/20/PL

1 To Addressee

Studio 5 Architects Ltd
Northgate Studios
12 Northgate
Chichester
West Sussex
PO19 1BA

2 Site Address

102 Linden Road
Bognor Regis
PO21 2BD

3 Description of Development

Change of use from 1 No. detached house (6 bedrooms) to 2 No. semi detached houses (1 x 5 bedroom & 1 x 3 bedroom), including a single storey rear extension, enlargement of existing rear dormer, new ground floor side facing window, and the replacement of the existing window and garage door to the front elevation with entrance door, window and brick infill.

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 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:

- Proposed Ground Floor Plan (drawing number 01 Rev A)
- Proposed Elevations (drawing number 02 Rev B)
- Proposed Site Plan (drawing number 05 Rev A)

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D SP1, D DM4, D DM1, D DM2, QE SP1, T SP1 and WM DM1 of the Arun Local Plan.

- 3 The materials and finishes of the external walls, roof and window/door frames of the extensions and alterations hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of visual amenity in accordance with policies D SP1, D DM1 and D DM4 of the Arun Local Plan.

- 4 No part of the development shall be first occupied until a dustbin enclosure (accommodating 2 bins for refuse/recycling storage) for each property has been installed, in accordance with the approved Proposed Site Plan. The bin storage shall thereafter be retained.

Reason: To safeguard the appearance of the property and the amenities of the area in accordance with policy D DM1, QE SP1 and WM DM1 of the Arun District Local Plan.

- 5 No part of the development shall be first occupied until the car parking spaces (2 spaces) for each property have been constructed in accordance with the approved Proposed Site Plan. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide car-parking space for the occupiers of the dwellings, in accordance with policy T SP1 of the Arun Local Plan.

- 6 No part of the development shall be first occupied until covered and secure cycle parking storage (accommodating 2 spaces) for each property has been constructed in accordance with the approved Proposed Site Plan. The cycle spaces shall thereafter be permanently retained in good working condition.

Reason: To provide alternative travel options to the use of the car, in accordance with policies T SP1 and T DM1 of the Arun Local Plan.

- 7 No part of the development shall first be occupied, until the provision of facilities to enable the charging of electric vehicles (1 per property) has been installed in accordance with the approved Proposed Site Plan. The charge points shall thereafter be permanently retained and maintained in good working condition.

Reason: New petrol, diesel and hybrid cars/vans will not be sold beyond 2035, 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, the Arun Parking Standards SPD and the National Planning Policy Framework.

- 8 No development above damp proof course (DPC) level of the rear extension hereby approved, and including hard and soft landscaping to the rear of the site, until details (in the form of a Tree Protection Plan to include a Construction Exclusion Zone) of how any third party trees and/or trees to the rear boundary of the site will be protected during construction works have been submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance the approved Tree Protection Plan and Construction Exclusion Zone.

Reason: To protect trees in accordance with British Standards and policy ENV DM4 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: 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 show the front boundary treatment, car and cycle parking and EVCP provision) 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: The applicant is advised that the works need to accord with the comments provided by the Council's Private Sector Housing Officer with regard to fire safety measures, mechanical ventilation to bathrooms, shower rooms and en-suites, meeting the requirements of the Housing Act 2004 and being free of Category 1 and significant Category 2 hazards.

INFORMATIVE: The applicant is advised that it is a criminal offence to disturb any protected species. If any protected species including bats and wild nesting birds are found to be on site before or during construction works, prior to works starting/all works are to cease immediately, and a Natural England Protected Species Licence sought.

INFORMATIVE: Vehicle Crossover - Minor Highway Works: The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the Highway Authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>

Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-applicationform/>

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: This decision has been granted in conjunction with a Section 106 legal agreement relating to the Pagham Harbour financial contribution of £871 for 1 new dwelling (S106 agreement dated 29th April 2020).



Neil Crowther
Group Head of Planning

Case Officer: Ms Myer

Decision Issued: **14th May 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).