TOWN AND COUNTRY PLANNING ACT 1990

ARUN DISTRICT COUNCIL

DECISION NOTICE

Application Ref: BR/412/05/

1 **To Addressee**

The Seaman Partnership
Unit 2 Martins Barn
Birdham Road
Chichester
West Sussex
PO20 7BX

2 **Site Address**

Hills Yard Spencer Street
& 92/ 94 London Road
Bognor Regis

3 **Description of Development**

Outline application for the erection of 20 x 1 & 2 bed flats, 2 & 2 1/2 storeys together with associated external works.

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 plan and subject to compliance with the conditions specified.

CONDITION 1 The permission hereby granted is an outline permission under Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 and an application for the approval of the Local Planning Authority to the following matters must be made not later than the expiration of 3 years beginning with the date of this permission:-

(a) the siting, design and external appearance of the buildings;
(b) the landscaping of the site;

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

CONDITION 2 The development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

CONDITION 3 The buildings hereby permitted shall not be occupied until provision has been made within the site in accordance with details to be submitted to and approved by the Local Planning Authority to prevent surface water discharging onto the public highway.

Reason: In the interests of road safety and to accord with approved policy in accordance with policies DEV1, NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 4 The buildings hereby permitted shall not be occupied until all accesses to the site other than hereby approved have been stopped up permanently and obliterated.

Reason: In the interests of road safety in accordance with policies DEV1, NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 5 The buildings shall not be occupied until the parking spaces and turning facilities shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policies DEV1, DEV5 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 6 The development shall not proceed until details of the proposed surface water and means of disposal have been submitted and approved by the Local Planning Authority. Surface water drainage shall be carried out in accordance with such details and in conjunction with associated building works.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7, GEN9 of the Arun District Local Plan.

CONDITION 7 The ground floor windows should accord with BS7950 and, if openers, should have restrictors fitted. All entrance doors, including flat entrance doors, should accord with PAS024.

Reason: To reduce the risk of crime in accordance with policy DEV18 of the Arun District Local Plan.

CONDITION 8 Details of any external lighting/floodlighting shall be submitted to and approved in writing by the Local Planning Authority before the use hereby permitted commences and the buildings are occupied. Development shall be carried out in accordance with the approved details.

Reason: To reduce the risk of crime in accordance with policy GEN18 of the Arun District Local Plan.

CONDITION 9 No development approved by this planning permission shall be commenced until:

(a) A desktop study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. And using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and recptors has been produced.

(b) A site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model). This should be submitted to and approved in writing by the Local Planning Authority prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:

- a risk assesment to be undertaken relating to the potential impact of land contamination, and;
- refinement of the Conceptual Model, and;
- the development of a Method Statement detailing the remediation requirements.

(c) The site investigation has been undertaken in accordance with details approved by the Local Planning Authority and a risk assessment has been undertaken.

(d) A Method Statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters, using the information obtained from the Site Investigation has been submitted to the Local Planning Authority prior to that remediation being carried out on the site.

Reason: To protect the environment and prevent harm to human health in accordance with policies DEV1 of the West Sussex Structure Plan and policies GEN7 and GEN31 of the Arun District Local Plan.

CONDITION 10 Development of the site will be carried out in accordance with the approved Method Statement.

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 DEV1 of the West Sussex Structure Plan and policies GEN7 and GEN31 of the Arun District Local Plan.

CONDITION 11 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 addendum to the Method Statement. This addendum to the Method Statement must detail 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 DEV1 of the West Sussex Structure Plan and policies GEN7 and GEN31 of the Arun District Local Plan .

CONDITION 12 Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the Local Planning Authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statements(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. If appropriate, future monitoring proposals and reporting shall also be detailed in the report.

Reason: To protect the environment and prevent harm to human health by ensuring that the remediated site has been reclaimed to an appropriate standard in accordance with policy DEV1 of the West Sussex Structure Pland and policies GEN7 and GEN31 of the Arun District Local Plan.

INFORMATIVE: The West Sussex County Council as Highway Authority would remind applicants that they may have to provide on the application site, areas for the parking and unloading of vehicles, temporary contractor buildings, plant and stacks of materials as the use of the adjacent public highway for these purposes may not be acceptable under the terms of the Highways Act.

INFORMATIVE: The buildings shall not be occupied until the crossing between the boundary of the site and the adjoining carriageway has been laid out and constructed to a specification to be agreed with the Local Planning Authority. Details of the specification may be obtained from the Area Engineer, West Sussex County Council, Area 1, Drayton Depot, Drayton Lane, Chichester. Telephone: 01243-836900 or from West Sussex County Council, County Surveyors Department, County Hall, Chichester. Telephone: 01243-777921.

Informative

A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, plese contact Southern Water's Network Development Team (Wastewater) based in Otterbourne, Hampshire.

Case Officer: Mr K Wheway

Head of Planning Services
Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

14th February 2006

Stephen Cantwell
Planning Control Manager

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

NOTES RELATING TO PLANNING APPLICATION
TOWN AND COUNTRY PLANNING ACT 1990

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 First Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within 6 months of the date of this notice using a form which you can get from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

PURCHASE NOTICES

If either the local planning authority or the First 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 District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town & Country Planning Act 1990.