



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: EG/4/19/PL

1 To Addressee

Vail Williams LLP
 Savannah House
 3 Ocean Way
 Southampton
 SO14 3TJ

2 Site Address

Land at The Croft Surgery
 Barnham Road

 PO20 3RP

3 Description of Development

Change of use of land to recreational space associated with medical centre.

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 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

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Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and of the Arun Local Plan.

- 3 The approved plans show that the proposals would be sited close to and in the case of the proposed playground, under the canopy of trees along the site boundaries. Therefore, any works in close proximity to trees, especially under the tree canopy shall be carried out in a manner, such as hand, digging so as to ensure that no harm occurs to any tree including their roots,
- Reason: To ensure the retention of vegetation important to the visual amenity, environment of the development in accordance with policies D DM1 and ENV DM4 of the Arun Local Plan.
- 4 Details of the playground equipment and the exercise stations shall be provided to and agreed in writing by the Local Planning Authority (LPA) prior to the first use of the recreational space hereby granted and shall be retained as such unless otherwise agreed in writing by the (LPA).
- Reason: In the interests of amenity in accordance with policy D DM1 of the Arun Local Plan.
- 5 The bin storage shown on the approved plan ref: 123 received on 18/01/2019 shall be implemented prior to first use of the recreational space hereby approved.
- Reason: In the interests of amenity in accordance with policy D DM1 of the Arun Local Plan
- 6 The development must be carried out in accordance with section 3 of the submitted Reptile Survey Report (October 2016), with section 3 of the submitted Ecology Report (July 2016) and with the recommendations of the Councils Ecologist, namely:
- (1) Efforts should be made to ensure that site clearance operations, particularly the clearance of dense vegetation should be undertaken in such a manner as to avoid accidental killing and injury of hedgehogs that might be sheltering within the Site. All dense ground vegetation should be cleared by hand outside of the bird nesting period (as described above) and the ground checked by an ecologist to ensure that it is free of hedgehogs before machinery is allowed to break the ground surface. Any hedgehog that is found should be relocated to a safe sheltered part of the northern land area. All cut vegetation should be chipped on site or, preferably, removed from site and not stored in heaps that could prove attractive to hedgehogs for shelter unless the intention is to leave them as permanent habitat piles for wildlife; and
- (2) Site clearance should be conducted during the season reptiles are active and the vegetation should be cut down to 10cm prior to any works taking place and then carefully cleared. Any dead wood, or rubble piles should be dismantled by hand and relocated.
- Reason: In accordance with ENV SP1 and ENV DM5 Arun District Local Plan policy and the National Planning Policy Framework.

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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in

accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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.



Neil Crowther*
Group Head of Planning

Case Officer: Richard Castro-Parker

Date of Decision:

4 April 2019

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