



Arun District Council
Civic Centre
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Littlehampton
West Sussex. BN17 5LF

Tel: (01903) 737500

Mr J Wells
Sussex House
12 Crane Street
Chichester
PO19 1LJ

web: www.arun.gov.uk

Your Ref: _____

Please ask for:
Miss A Willard

Our Ref: EG/72/18/HH

Dear Mr Wells,

**Town and Country Planning (Pre-commencement Conditions) Regulations 2018 -
Notice regarding intention to impose pre-commencement conditions**

A pre-commencement condition is defined in section 100ZA(8) as a condition imposed on a grant of planning permission (other than a grant of outline planning permission within the meaning of section 92 of the 1990 Act) which must be complied with (a) before any building or operation comprised in the development is begun, or (b) where the development consists of a material change of use of any buildings or other land, before the change of use is begun.

The LPA are considering imposing the following pre-commencement conditions on the application mentioned above.

'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 policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.'

From 1 October 2018 section 100ZA(5) provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition (except in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018).

In order to progress your application you are asked to confirm in writing your acceptance of the proposed condition by 7th December 2018. If you provide a substantive response before the 7th December we may be able to issue a decision prior to that date.

Your other options are:-

- provide comments (within the time limit) on the proposed pre-commencement condition, in which case that condition cannot be imposed
- choose not respond (i.e. remain silent). If there is no response by the date given in the notice the local planning authority may grant planning permission subject to the terms of the pre-commencement condition specified in the notice
- indicate (within the time limit) that you do not agree to the terms of the proposed pre-commencement condition, in which case the local planning authority may then either:
 - i. grant planning permission without the pre-commencement condition,
 - ii. seek written agreement to an alternative pre-commencement condition, or
 - iii. refuse to grant permission (if it considers that the disputed pre-commencement condition is necessary to make the development acceptable in planning terms).

Please contact me to discuss the matter if there is anything in the letter that you require clarification on.

If you wish to discuss the contents of this letter, or if there is anything you do not understand, please contact me.

Yours Sincerely,

Miss A Willard

Planning Officer

Arun District Council