

TOWN AND COUNTRY PLANNING ACT 1990**DECISION NOTICE**

Application Ref: EP/90/09/

1 To Addressee

Churchfield Heights Ltd
 Invicta Business Park
 10 London Road
 Wrotham
 Kent
 TN15 7RJ

2 Site Address

Churchfield
 Station Road
 East Preston

3 Description of Development

Demolition of existing buildings & residential redevelopment to provide 14 no. houses & apartments, with associated parking & open space.

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 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).

CONDITION 2 No development shall take place until details of screen walls and/or fences and/or railings have been submitted to and approved by the Local Planning Authority and no dwellings/buildings shall be occupied until such screen walls and/or fences and/or railings associated with them have been erected.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

- CONDITION 3** No development, hereby approved, shall be commenced until the existing site vehicular access onto Station Road has been reformed with access radii, tactile paving and 2.4m x 59m visibility splays in accordance with the approved site layout. These splays shall thereafter be kept clear of all obstructions to visibility over a height of 0.6m above the adjoining carriageway level.

Reason: In the interests of road safety in accordance with policy GEN7 of the Arun District Local Plan.

- CONDITION 4** No dwelling hereby approved, shall be occupied until the car parking spaces allocated to the dwellings have been provided, surfaced and marked out in accordance with the approved site plan and construction details to be submitted to and approved by the planning authority. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide on-site car parking spaces for the dwellings in accordance with policies GEN7 and GEN12 of the Arun District Local Plan

- CONDITION 5** No dwelling hereby permitted, shall be occupied until the cycle store allocated to the dwellings have been provided in accordance with the approved site plan and construction details to be submitted to and approved by the Local Planning Authority. These cycle stores shall thereafter be retained at all times for the designated use.

Reason: To provide on-site cycle parking spaces for the dwellings.

- CONDITION 6** No dwelling, hereby approved, shall be occupied until the pedestrian access onto Station Road has been provided in accordance with the approved site plan and construction details to be submitted to and approved by the Local Planning Authority.

Reason: To provide a segregated pedestrian access to the dwellings in accordance with policy GEN7 of the Arun District Local Plan.

- CONDITION 7** No development shall take place unless and until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping/hard and soft/, which shall include indication of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- CONDITION 8** All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons 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 5 years from the completion of the 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 GEN7 of the Arun District Local Plan.

CONDITION 9 No development, including site works of any description, shall take place on the site unless and until all the existing trees/bushes/hedges to be retained on the site have been protected by a fence to be approved by the Local Planning Authority erected around each tree or group of vegetation at a radius from the bole or boles of 5 metres or such distance as may be agreed in writing by the Local Planning Authority. Within the areas so fenced off the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority. If any trenches for services are required in the fenced off areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.

Reason: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with policy GEN7 of the Arun District Local Plan.

CONDITION 10 The burning of materials obtained by site clearance or from any other source shall not take place within 6 metres of the furthest extent of the canopy of any tree or group of trees to be retained on the site or on land adjoining.

Reason: To protect trees and vegetation from fire damage in the interests of the visual amenities of the locality in accordance with policy GEN7 of the Arun District Local Plan.

CONDITION 11 No development, demolition or alterations to buildings shall take place until details indicating how suitable mitigation and provision will be made for reptiles, bats' and owls' habitats have been submitted to and approved by the Local Planning Authority and such mitigation/habitats shall be secured and provided before development commences and thereafter maintained to the satisfaction of the Local Planning Authority.

Reason: To safeguard the ecology of the area, and in the interests of reptiles bats and owls to ensure that a habitat remains for them during and after development in accordance with policy GEN30 of the Arun District Local Plan.

CONDITION 12 No development shall be carried out unless and until a schedule of materials and finishes and samples of such 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 the setting of the neighbouring Listed Building by endeavouring to achieve a building of visual quality in accordance with policies DEV11, AREA2, GEN7 of the Arun District Local Plan.

CONDITION 13 Prior to the commencement of the development hereby approved, a detailed level survey of the site including existing and resulting ground levels and the slab levels of the building the subject of this approval, shall be submitted to and approved by the Local Planning Authority. The development shall proceed only in accordance with the details thus approved and there shall be no subsequent raising of levels without prior written approval of the Local Planning Authority.

Reason: In order to safeguard the amenities of the area and neighbouring residents in accordance with policy GEN7 of the Arun District Local Plan.

CONDITION 14 No development shall take place until precise details of the following have been submitted to and approved in writing by the Local Planning Authority; 1) the design, construction, opening mechanism, materials and finishes of doors and windows; 2) the design, materials and finishes of eaves and bargeboards; 3) the design and materials of chimneys and dormers. The development shall be undertaken in accordance with these details and shall thereafter be retained.

Reason: In the interests of the visual amenities of the locality together with the neighbouring Grade I Listed Building and Conservation Area, and to endeavour to achieve a development of visual quality. In accordance with policies GEN7, DEV11, AREA2 of the Arun District Local Plan.

CONDITION 15 This permission relates to the plans as submitted and amended by substitute plans dated 02-09-2009.

Reason: For the avoidance of doubt and because the scheme as originally submitted was unacceptable to the Local Planning Authority.

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: Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character, including the neighbouring Listed Building and Conservation Area, and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN7, AREA2

NATIONAL POLICIES: PPS1, PPS3, PPG13, PPG15

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.

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

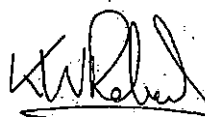
Case Officer: Ms E E Hearsey

Date of Decision:

9th September 2009

Date Decision Issued:

9th September 2009



Karl Roberts
Assistant Director Planning Services &
Housing Strategy

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.

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).

