

ECE Planning Limited
Brooklyn Chambers
11 Goring Road
Worthing
West Sussex
BN12 4AP

Please ask for: Andrew Wood
Email: andrew.wood@arun.gov.uk
Telephone: 01903 737768
Our Ref: FG/105/20/PL
Your Ref:
Date: 23rd October 2020

Dear Mr James,

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

Conversion Of Existing Public House (Use Class A4) To Create 7 No Residential Units Comprising 5 No 1-Bedroom Units & 2 No 2-Bedroom Units & The Erection Of 2 No 1-Bedroom Semi-Detached Bungalows, Associated Car Parking & Landscaping (Resubmission Following Fg/46/20/Pl). This Application Affects A Public Right Of Way & Is In Cil Zone 4, Cil Liable For New Dwellings.

The Tudor Close Public House Ferringham Lane Ferring BN12 5NQ

From 1 October 2018 section 100ZA(5) of the Planning Act 1990 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).

The following Pre Commencement Condition/s are Proposed:

- 6 Prior to the commencement of development the trees on and adjacent to the site shall be protected by the applicant employing the services of an Arboricultural Consultant to carry out a tree survey exercise and then prepare an Arboricultural Impact Assessment (AIA) which must be inclusive of; a 'Tree Survey Schedule', a 'Root Protection Area (RPA) Schedule' and a 'Tree Constraints Plan' - with the trees accurately plotted on same.
- In the event that a RPA of any tree which is proposed for retention overlaps the development then BS5837:2012 requires an Arboricultural Method Statement (AMS) and also most importantly a Tree Protection Plan - to both describe and illustrate the mitigation measures which are to be employed to ensure that the trees survive without detriment to their vigour and vitality and are given adequate protection both above and below ground.

Reason; In the interests of the protection of trees on and adjacent to the site. This is

necessary as a pre-commencement condition in order to protect the trees on and adjacent to the site from the adverse impacts of development.

OPTIONS:

1. Confirm your acceptance in writing by the **6th November 2020**.
2. Choose not respond (i.e. remain silent). If there is no response by the **6th November 2020** the Local Planning Authority may grant planning permission subject to the terms of the pre-commencement condition specified in the notice.
3. Provide comments before the **6th November 2020** on the proposed pre-commencement condition, in which case that condition cannot be imposed.
4. Indicate before the **6th November 2020** that you do not agree to the terms of the proposed pre-commencement condition, in which case the Local Planning Authority may then either:
 - a. grant planning permission without the pre-commencement condition,
 - b. seek written agreement to an alternative pre-commencement condition, or
 - c. refuse to grant permission (if it considers that the disputed pre-commencement condition is necessary to make the development acceptable in planning terms).

If you wish to discuss the contents of this letter, or if there is anything you do not understand, please contact the case officer on the above extension.

Yours sincerely



Neil Crowther
Group Head of Planning

For details of how the Council will deal with your data please refer to our privacy notices on the website www.arun.gov.uk/planning-privacy-statements

If you have provided an email address, all correspondence including the decision notice will be sent by email. It is therefore important that you keep us informed if this changes during the course of this application.