



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: FG/198/16/PL

1 To Addressee

Lucas Design & Construction
 11a West Street
 Reigate

 RH2 9BL

2 Site Address

1 Sea Drive
 Ferring
 BN12 5HD

3 Description of Development

Demolition of existing house with erection of 2 storey building comprising of 8No. residential 2 bedroom flats & associated external works

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;

Site Location Plans - 2016-D1223-100 and PL001
 Proposed Site Plan - Dwg.no. 046/PL002 REV G Dated Aug 16
 Proposed Block Plan Dwg.no. 046/PL003 REV F Dated Apr 17
 Proposed Floor plans - Dwg. No. 16/046 - PL004 Rev L dated Aug 2016
 Proposed Elevations and Street Scenes - Dwg.no. 16/046 - PL005 Rev J dated Aug 2017 (street scenes are for illustrative purposes only)
 Topographical Survey - LD1606042 dated July 2017

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN 7 of the Arun District Local Plan.

- 3 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The scheme must include all boundary treatments. The approved details of the landscaping shall be carried out in the first planting and seeding season, 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 five years from the completion of 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.

- 4 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls, windows, doors and rainwater goods of the proposed building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character and appearance of the building by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- 5 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 GEN7 and GEN9 of the Arun District Council 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.

- 6 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use in accordance with policy GEN12 of Arun District Local Plan.

- 7 Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

Reason: To provide adequate foul and surface water disposal in accordance with policy GEN 9 of the Arun District Local.

- 8 The development must be provided with a means of preventing flood water from entering the basement. This should be to a height not less than the minimum floor level, 5.8 M AOD and be continuous around the building, either at the boundary (i.e. low wall) or by some other means within the site. The means of preventing flood water entering may be either permanent, demountable or in the form of a readily closed, solid gate (with suitable seals). The details of the flood defence shall be submitted to and approved in writing prior to the occupation of the development and shall be retained in perpetuity as approved.

If the means of flood resistance is not permanent then there shall be an operational / maintenance flood plan produced to the satisfaction of the Local Planning Authority. All residents shall be made aware of the risk and the need to close the barrier / gate and to comply with the contents of the Plan.

Reason: To reduce the risk of flooding to the basement parking area in accordance with policy GEN 10 of the Arun District Local Plan and the NPPF.

- 9 No part of the development shall be first occupied until the vehicle parking and turning spaces including the footpath access to the ramped garage access and the covered and secure cycle parking spaces have been constructed in accordance with plans drawing numbers Proposed Site Plan, PL02 revG, Basement Parking Vehicle Swept Path Details PL007 revA and PL004 rev L Proposed Plans and details submitted to and approved in writing by the Local Planning Authority. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development in accordance with policy GEN 12 of the Arun District Local Plan and the NPPF.

- 10 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (07/11/2016) and the following mitigation measure detailed within the FRA:
- Finished floor levels are set no lower than 5.8m above Ordnance Datum (AOD).

The mitigation measure shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants. This condition is in line with Section 9 of the Planning Practice Guidance to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change.

- 11 The Construction Management Plan should take all relevant precautions to minimise the potential disturbance to neighbouring residents during the demolition/construction phase of the development. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved by, The Local Planning Authority. The Plan shall provide for :

- a. An indicative programme for carrying out the works
- b. The arrangements for public consultation and liaison during the construction works.
- c. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method should foundation piling occur, the careful selection of plant and machinery and use of noise mitigation barriers.
- d. Detail of any flood lighting, including location, height, type and direction.
- e. The parking of site operatives and visitors
- f. Loading and unloading of plant and materials
- g. Storage of plant and materials used in construction and development
- h. Wheel washing facilities
- i. Measures to control the emission of dust and dirt during construction
- j. No demolition or construction work shall take place except during the hours of 8:00 to 18:00 Monday-Friday, 8:00 to 13:00 Saturdays and not at all on Sundays or Bank Holidays.

Reason: To ensure safe and neighbourly construction in the interests of amenity and road safety in accordance with policy GEN7 of the Arun District Local Plan.

- 12 External lighting in association with this development shall comply with the Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light, Obtrusive Light Limitations for Exterior Lighting Installations for Zone E2 and to avoid over lighting.
Further to the above in consideration the presence of bats in the local area the scheme should minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding.

Reason: In the interests of the conservation of protected species and residential amenity in accordance with policies GEN 30 and GEN 33 of the Arun District Local Plan.

- 13 Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time an ecologist will need to check the site before any works take place (with 24 hours of any work).

Reason: In the interests of the conservation of protected species in accordance with policies GEN 30 and GEN 33 of the Arun District Local Plan.

- 14 The windows at first floor level in the north elevation closest to 108 Sea Lane and in the west elevations with the exception of the northernmost window in the west elevation, of the new dwellings shall at all times be glazed with obscured glass and fixed shut.

Reason: To protect the amenities and privacy of the adjoining properties in accordance with policies GEN7 of the Arun District Local Plan.

INFORMATIVE: Detailed design of the proposed drainage system should take into account the possibility of surcharging within the public sewerage system in order to protect the development from potential flooding.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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, please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel 033 0303 0119) or www.southernwater.co.uk.

INFORMATIVE: Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water Services, Southern House, Otterbourne, SO21 2SW 9EH (Tel 03303030119)

INFORMATIVE: ADC Environmental Health - Private Sector Housing

Ventilation - Any bathrooms and kitchens without windows for natural ventilation should have adequate mechanical ventilation.

Room Sizes - Room sizes should meet the minimum standards for houses in multiple occupation if the flats are intended to be rented.

Fire Safety - The property would need to meet all fire detection and safety requirements as per the Lacors: Housing - Fire Safety: Guidance on fire safety provisions for certain types of existing housing, including adequate separation from any commercial units located below and external means of escape



Neil Crowther
Group Head of Planning

Case Officer: Andrew Wood

Date of Decision:

31 August 2017

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 public highway (including the placing of skips on highway land).

