

DECISION NOTICE

Application Ref: FG/41/20/PL

1 To Addressee

Folkes Architects
The Old Forge
6 Church Street
Storrington
RH20 4LA

2 Site Address

Ferringham House
58 Ferringham Lane
Ferring
BN12 5LU

3 Description of Development

1 No new dwelling & detached hydrotherapy pool house along with associated external works & creation of 1 No additional vehicular entrance.

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 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:

- Proposed Site Plan (2.01 Rev E), received 07/07/2020
- Proposed Ground Floor Plan (2.02 Rev D), received 24/06/2020
- Proposed First Floor & Roof Plan (2.03 Rev F), received 24/06/2020
- Proposed Elevations (2.04 Rev D), received 24/06/2020
- Proposed Physio Pool (2.07 Rev A), received 07/07/2020

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with the National Planning Policy Framework and policies D SP1, D DM1 and QE SP1 of the Arun Local Plan.

- 3 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls, roofs, windows and doors 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 visual amenity by endeavouring to achieve a building of visual quality in accordance with the National Planning Policy Framework and policies D SP1 and D DM1 of the Arun Local Plan.

- 4 The proposed ground floor window (to the en-suite) in the south west side elevation and the two proposed narrow first floor windows to the eastern rear elevation of the new building hereby permitted shall be obscure glazed and non-opening up to a height of 1.7m. It shall thereafter be so maintained.

Reason: To protect the amenity of future and neighbouring occupants in accordance with the National Planning Policy Framework and policy D DM1 and QE SP1 of the Arun Local Plan.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015, (or any Order revoking or enacting that Order) no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the side walls/roof slope or rear wall/roof slope of the building without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities of adjoining residential properties in accordance with the National Planning Policy Framework and policies D DM1 and QE SP1 of the Arun Local Plan.

- 6 No construction / demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no noisy work on Sunday or Bank/Public Holidays.

Reason: To protect the amenity of local residents in accordance with the National Planning Policy Framework and policies D DM1, QE SP1 and QE DM1 of the Arun Local Plan.

- 7 No external lighting shall be installed until details have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. This submission shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles). The approved scheme shall be installed, fully assessed by a competent individual when operational to ensure no light creep/bleed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment and wildlife and local residents from light pollution in accordance with the National Planning Policy Framework and policies D DM1, QE SP1, QE DM2 and ENV DM5 of the Arun Local Plan.

- 8 The flat roof areas of the building hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of adjoining properties in accordance with the National Planning Policy Framework and policies D DM1 and QE SP1 of the Arun Local Plan.

- 9 No part of the development shall be first occupied until details of a dustbin enclosure (to provide refuse and recycling storage) shall be submitted to and approved in writing by the Local Planning Authority. The bin storage shall thereafter be retained.

Reason: To safeguard the appearance of the property and the amenities of the area in accordance with policy D DM1, QE SP1 and WM DM1 of the Arun District Local Plan.

- 10 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the NPPF) unless it can be demonstrated that a fabric-first approach would achieve an equivalent energy saving. Details and a timetable in the form of an Energy Statement of how this is to be achieved (including details of physical works on site, sustainable construction methods, energy conservation and energy efficiency measures and renewable energy sources), shall be submitted to and approved in writing by the Local Planning Authority before any development above damp proof course (DPC) level begins. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to secure on site renewable energy, reduce energy use, and ensure the development is sustainable, in accordance with national planning policy, and in accordance with Policy ECC SP2 of the Arun Local Plan.

- 11 No part of the development shall be first occupied until 3 car parking spaces have been provided on site (within the double garage and front driveway) and in accordance with the approved Proposed Site Plan. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide car-parking space for the occupiers of the dwellings, in accordance with policy T SP1 of the Arun Local Plan.

- 12 No part of the development shall be first occupied until a minimum of 2 covered and secure cycle parking spaces have been provided on site (within the garage) and in accordance with the approved Proposed Site Plan. The cycle spaces shall thereafter be permanently retained in good working condition.

Reason: To provide alternative travel options to the use of the car, in accordance with policies T SP1 and T DM1 of the Arun Local Plan.

- 13 No part of the development shall first be occupied, until the provision of facilities to enable the charging of electric vehicles has been installed (within the garage and the front driveway). The charge points shall thereafter be permanently retained and maintained in good working condition.

Reason: New petrol, diesel and hybrid cars/vans will not be sold beyond 2035, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun Parking Standards SPD and the National Planning Policy Framework.

- 14 The biodiversity enhancements set out in the Biodiversity Enhancement Strategy Site Plan (received 8/6/20) are to be implemented and retained thereafter.

Reason: To enhance biodiversity in the local area and result in a Net Biodiversity Gain on site, in accordance with the relevant legislation and policy ENV DM5 of the Arun Local Plan.

- 15 Before the site is occupied or any machinery is introduced to the site or demolition work or construction work or alterations to existing ground levels takes place a PRE-COMMENCEMENT Site Meeting is to take place between the Planning Authority's Tree Officer and the Arboricultural Expert (or designated competent person) representing the site owner(s) - at this meeting all protective fencing and ground protection measures will be inspected to verify they are 'Fit for Purpose' as required under British Standard 5837:2012 and have been erected and positioned exactly as shown on the Tree Protection Plan, Arbortrack Systems Ltd., Appendix: A, June 2020.

Reason: To comply with BS5837 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area, in accordance with Arun Local Plan policy ENV DM4. It is necessary for this to be a pre-commencement condition to ensure that the appropriate tree protection measures are installed prior to commencement of development.

- 16 All activity at the site is to be carried out in strict accordance with Arboricultural Impact Assessment & Method Statement, (produced by Arbortrack Systems Ltd., Ref: jwmb/rpt1/58ferringhamlane/AIAAMS, dated 12th June 2020).

If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones, then prior to their installation, a Method Statement (prepared by an Arboricultural Expert and that stipulates how this can be achieved without adverse impact on tree RPAs) must be submitted to and approved in writing to the Local Planning Authority, prior to commencement of any works on site.

Reasons: To comply with BS5837 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area, in accordance with Arun Local Plan policy ENV DM4.

- 17 No development above damp proof course (DPC) level shall take place unless and until a Landscape Plan to include details of boundary treatments/screening and a detailed Planting Scheme and Specification (detailing species choice, actual plant quantities, planting densities and size at time of planting) has been submitted to and approved in writing by the Local Planning Authority. All landscaping on site is then to be carried out in strict accordance with this approved Landscape Plan.

Reason: In the interests of the visual amenities of the locality and local wildlife, in accordance with policy D DM1 and ENV DM4 of the Arun Local Plan.

This application is subject to the Community Infrastructure Levy (CIL) as levied under Arun district Council's CIL Charging Schedule as adopted on 15th January 2020.

Shortly you will receive a Liability Notice which includes the calculated charge and person(s) liable to pay. If you have not submitted all the necessary CIL forms such as Assumption for Liability ([Form 2](#)) or any appropriate exemption or relief forms available on the Council's website <https://www.arun.gov.uk/cil> you must do so prior to commencement of your development. Failure to do so would invalidate any claim for exemption or relief. Furthermore, you must remember to submit your Commencement Notice no later than the day before the day on which the chargeable development is to commence. Failure to do so could result in a surcharge of up to £2,500.

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: The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information, please contact the Environmental Health Department on 01903 737555.

INFORMATIVE: The applicant is reminded of their responsibility to gain formal consent from the proprietor of the privately maintained road for the proposed access works.

INFORMATIVE: Any alterations to surface water drainage must be designed and constructed in accordance with Building Regulations.

INFORMATIVE: A formal application to Southern Water for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link: southernwater.co.uk/infrastructure-charges

INFORMATIVE: It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site

INFORMATIVE: 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 (within 24 hours of any work).



Neil Crowther
Group Head of Planning

Case Officer: Ms Myer

Decision Issued: 23rd July 2020

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 6 months 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.

If you intend to submit an appeal that you would like examined by inquiry then you must send notice to the Local Planning Authority and Planning Inspectorate(inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details can be found at www.GOV.uk

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).