



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: FP/171/18/PL

1 To Addressee

Mr James Potter
 Suite 1, Winter Works,
 Rear of 119 Winter Road, Southsea
 Southsea, Portsmouth
 PO4 8DS

2 Site Address

Land at Stanhorn Grove
 Felpham

3 Description of Development

Erection of 18 No. dwellings, creation of new access, landscaping & associated 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 compliance with the following conditions and Section 106 Agreement.

- 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).

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The development hereby approved shall be carried out in accordance with the following approved plans and documents:

1000WC01 "Site Survey";
 17094-SK-003 "Location Plan";
 PL-2-01 "Site Location Plan";
 PL-2-02 Rev D "Site Layout";
 PL-2-03 Rev D "Site Layout - Tenure";
 PL-2-04 Rev D "Site Layout - Building Height";
 PL-2-05 Rev D "Site Layout - Building Materials";
 PL-2-06 Rev D "Site Layout - Bedrooms";
 PL-2-07 Rev D "Site Layout - Boundary Materials";
 PL-2-08 Rev D "Site Layout - Parking/Cycles/Bins";
 17094-PL-0-01 "Building Material Palette";
 17094-PL-3-01 "Windom - Plans & Elevations - Brick (Plots As 12 / Opp 11, 16)";
 17094-PL-3-02 "Windom - Plans & Elevations - Brick Detail (Plots As 3, 4, 5, 8)";
 17094-PL-3-05 "Turner - Plans - Brick Detail (Plots Opp 15)";
 17094-PL-3-06 "Turner - Elevations - Brick Detail (Plots Opp 15)";
 17094-PL-3-07 "Turner - Plans - Flint Detail (Plots As 1 / Opp 14)";
 17094-PL-3-08 "Turner - Elevations - Flint Detail (Plots As 1 / Opp 14)";
 17094-PL-3-10 "Lincoln - Plans & Elevations - Brick (Plots As 10, 13 / Opp 2, 6)";
 17094-PL-3-11 "Lincoln - Plans & Elevations - Brick Detail (Plots As 7 / Opp 9)";
 17094-PL-3-15 "Flats - Plans & Elevations - Flint (Plots As 17, 18)";
 17094-PL-4-01 "Indicative Site Section";
 17094PL-5-01 "Street Scenes";
 17094PL-5-02 "Indicative 3D Visual";
 17094-9-10 Rev B Materials Schedule;
 5782:01 Rev E "Engineering Layout";
 5782:02 "Levels Layout";
 5782:10 "Longitudinal Sections";
 5782:90 Rev A "Vehicle Tracking";
 5782:91 Rev A "Fire Tender Tracking";
 5782:92 Rev A "Refuse Tracking";
 "Development Foul and Surface Water Statement" ref SS/18:0439/5782 Rev B; and
 "GEO Environmental Report" Ref 20790R1 Rev A (Feb 18).

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1 and T SP1 of the Arun Local Plan.

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The development hereby approved shall be carried out in strict accordance with the Arboricultural Impact Assessment and Method Statement (Ref PR121588aia-ams, Rev: A-23.11.18) and the Tree Protection Plan ref: PR121588-03 (October 2018).

Reasons: To comply with BS5837 and Arun Local Plan policy ENV DM4 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.

- 4 The development must be carried out in strict accordance with the recommendations and mitigation measures as set out within Section 6.0 of the submitted Ecological Assessment dated 04/09/18. The enhancements and mitigation measures shall be implemented as per the document and then the enhancements shall be permanently retained and thereafter maintained as fit for purpose.

Reason: In accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

- 5 No development including site access, demolition or associated construction activities, shall take place on the site unless and until a badger survey has been undertaken in order to ensure that badgers are not using the site. If a badger sett is found on the site, then the applicants shall provide a mitigation strategy to the Local Planning Authority for approval in consultation with Natural England.

Reason: To safeguard resident badgers in accordance with Policy ENV DM5 of the Arun Local Plan and the National Planning Policy Framework. It is considered necessary for this to be a pre-commencement condition because the commencement of development could result in harm to any badgers living within the site area.

- 6 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 Arun DC Tree Officer and the Arboricultural Expert representing the site owners.

At this meeting all protective fencing will be inspected along with ground protection measures - they will be assessed to verify that 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 ref: PRI21588-03 (October 2018).

A schedule of Site Monitoring/Supervision visits and Reporting Procedures prepared by an Arboricultural Expert will be required and their extent will be agreed on at the above site meeting to the satisfaction of the Arun DC Tree Officer.

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 must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced out on site.

Reasons: To comply with BS5837 and with Arun Local Plan policy ENV DM4 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. This is required to be a pre-commencement condition because it is necessary to ensure the protection of the protected and otherwise significant trees prior to any change to the surface of the site.

- 7 No development shall 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.

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.

- 8 No development shall commence until formal consent has been approved in writing from the Lead Local Flood Authority (WSCC) or its agent (ADC) for the discharge of any flows to watercourses, or the culverting, diversion, infilling or obstruction of any watercourse on the site. Any discharge to a watercourse must be at a rate no greater than the pre-development run off values.

Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1 and W DM2 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to protect existing watercourses prior to the construction commencing.

- 9 No development shall commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner of management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to ensure that the future maintenance and funding arrangements for the surface water disposal scheme are agreed before construction commences.

- 10 The development layout shall not be agreed until such time that arrangements for the future access and maintenance of any watercourse or culvert (piped watercourse) crossing or abutting the site has been submitted and approved in writing by the Local Planning Authority. No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities of any watercourse on or adjacent to the site.

Reason : To ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion, in accordance with Policies W DM1, W DM2 and W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition to protect existing watercourses prior to construction commencing.

- 11 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

Reason: The site is of archaeological significance in accordance with Arun Local Plan Policy HER DM6. This is required to be a pre-commencement condition because investigatory work cannot take place once the development has commenced.

- 12 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 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.

The landscaping scheme shall also ensure that (a) any gaps within hedgerows are filled in using native hedge species to improve wildlife connectivity; and (b) that where any hedges are removed, new replacement hedgerow is planted.

Reason: In the interests of amenity of the development and in the interests of ecology in accordance with Arun Local Plan policies D DM1 & ENV DM5 and the National Planning Policy Framework.

- 13 No part of the development shall be occupied unless and until details of the proposed means of foul water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority. The foul sewerage disposal system shall then be implemented in accordance with the approved details and permanently retained thereafter.

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul sewerage in accordance with policies W DM1 and W DM3 of the Arun Local Plan.

- 14 Prior to the occupation of any part of the development, a strategy for the provision of the highest available headline speed of broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall take into account the timetable for the delivery of 'superfast broadband' (defined as having a headline access speed of 24Mb or more) in the vicinity of the site (to the extent that such information is available). The strategy shall seek to ensure that upon occupation of a dwelling, the provision of the highest available headline speed of broadband service to that dwelling from a site-wide network is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site will continue in accordance with the approved strategy.

Reason: To safeguard the amenities of future residents in accordance with Arun Local Plan policy TEL SP1 and policy BT7 of the Felpham Neighbourhood Development Plan.

- 15 Upon completed construction of the surface water drainage system but prior to occupation of any part of the scheme, the owner or management company shall either provide the local planning authority with an updated copy of the management manual incorporating any changes as a result of construction/implementation or confirm in writing that no changes are required to the manual.

No further changes shall be made to the approved surface water drainage system Maintenance & Management Plan/Regime including the management company responsible or the financial arrangements between the owners of the dwellings & the management company other than with the written consent of the Local Planning Authority.

The owner or management company shall thereafter strictly adhere to and implement the recommendations contained within the manual to ensure that the system is maintained in perpetuity.

Reason: To ensure the efficient maintenance and on-going operation of the surface water drainage system and to ensure the best practice in line with guidance set out in 'The SuDS Manual' CIRIA publication ref: C753 Chapter 32, in accordance with policies W DM1, W DM2 and W DM3 of the Arun Local Plan.

- 16 Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained 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.

- 17 Prior to occupation of any of the dwellings, an electric vehicle charge point shall be installed to serve each dwelling and this shall then be permanently retained and maintained in working condition.

Reason: New petrol and diesel cars/vans will not be sold beyond 2040, 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 and the National Planning Policy Framework.

- 18 No dwelling within the site shall be occupied unless and until the car parking associated with it has been constructed in accordance with the approved site layout parking/cycle parking plan (17094-PL-2-08 Rev D). The final dwelling on the site shall not be occupied unless and until all of the proposed unallocated visitor spaces have been constructed in accordance with the same plan (17094-PL-2-08 Rev D). These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking spaces for the use in accordance with policies T SP1 and T DM1 of the Arun Local Plan and the National Planning Policy Framework.

- 19 No dwelling within the site shall be occupied unless and until covered and secure cycle parking spaces to be associated with that dwelling have been provided in accordance with the approved site layout parking/cycle parking plan (17094-PL-2-08 Rev D). The secure cycle storage so approved shall be implemented in accordance with the approved details and retained in perpetuity unless otherwise agreed in writing with the local planning authority.

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 and the National Planning Policy Framework.

- 20 No part of the development shall be first occupied until the vehicle turning space has been constructed within the site in accordance with the approved site plans (5782.92/91/90 - all Rev A). These spaces shall thereafter be retained at all times for their designated use.

Reason: In the interests of road safety and in accordance with policy T DM1 of the Arun Local Plan and the National Planning Policy Framework.

- 21 Details for the storage of domestic rubbish and recycling within each new residential plot shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any of the dwellings. The waste/recycling provision shall then be implemented in accordance with the approved details and retained in perpetuity unless otherwise agreed in writing with the local planning authority.

Reason: To protect the amenities of existing and future residents in accordance with Arun Local Plan policies D DM1 and QE SP1.

- 22 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations within BS5489:1-2013 but also 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. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area, the amenity of existing neighbouring properties, the site biodiversity (particularly in respect of bats), the interests of minimising crime and to minimise unnecessary light spillage outside the development site in accordance with policies QE SP1, QE DM2 & ENV DM5 of the Arun Local Plan.

- 23 No removal of trees, shrubs or other vegetation that may contain birds' nests shall take place between 1st March and 31st August inclusive, unless a suitably qualified ecologist/wildlife specialist has undertaken a careful, detailed, check of vegetation for active birds' nests immediately before the vegetation is cleared and confirmed that no nests will be harmed. Where nests are discovered, the vegetation shall remain in place until nesting activity has ended naturally and the ecologist has confirmed that it is safe to proceed.

Reason: To prevent interference with the breeding success of wild birds in the interests of biodiversity conservation, as well as to ensure compliance with the legal protection of birds, their nests and eggs under Section 1 of the Wildlife and Countryside Act 1981, as amended and in accordance with policy ENV DM5 of the Arun Local Plan.

- 24 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 National Planning Policy Framework, March 2012). Details and a timetable of how this is to be achieved for each phase or sub phase of development, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority before any development in that phase or sub phase 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 in accordance with national planning policy, in accordance with policy ECC SP2 of the Arun Local Plan and policy ESD11 of the Felpham Neighbourhood Development Plan.

- 25 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for a remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun Local Plan policies QE SP1 and QE DM4.

- 26 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the dwelling houses shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with policy D DM1 of the Arun Local Plan.

- 27 No windows (other than those shown on the plans hereby approved) shall be constructed in the exposed first floor flank elevations of the dwellinghouses hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjacent properties in accordance with policy D DM1 of the Arun Local Plan.

- 28 All of the bathroom windows (whether ground or first floor) within the development shall be glazed with obscured glass.

Reason: To protect the amenities and privacy of existing and future adjacent properties in accordance with policy D DM1 of the Arun Local Plan.

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: This decision has been granted in conjunction with a Section 106 legal agreement relating to:

AFFORDABLE HOUSING - A provision within the agreement to ensure that all of the dwellings are affordable.

LOCAL PLAY - A play area contribution of £28,800 (18 x £1600) to be allocated to the nearby Stanhorn Grove Play Area.

PRIMARY EDUCATION - A contribution of £62,871 to be spent on additional equipment at Downview Primary School.

SECONDARY EDUCATION - A contribution of £67,662 to be spent on additional equipment at Felpham Community College.

6TH FORM EDUCATION - A contribution of £15,851 to be spent on additional equipment at Felpham Community College Sixth Form.

LIBRARIES - A contribution of £6,113 to be spent on additional stock at Bognor Regis Library.

FIRE & RESCUE - A contribution of £582 to be used towards the provision of additional fire safety equipment within vulnerable person's homes in West Sussex Fire Rescue Services Southern Area serving Felpham.

INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read this New Connections Services Charging Arrangements documents which is available to read on Southern Water's website via the following link: <https://beta.southernwater.co.uk/infrastructurecharges>.

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, then 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. Please contact Southern Water if a sewer is found.

INFORMATIVE: Drainage Engineers advise that Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE 365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 30% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Supplementary guidance notes are available on our website <https://www.arun.gov.uk/surfacewater> and are also available on request.

INFORMATIVE: Please note the following comments of Sussex Police's Designing Out Crime Officer in respect of the fencing, cycle storage and lighting conditions:

- Perimeter fencing must be adequate with vulnerable areas such as side and rear gardens needing more robust defensive barriers by using walls or fencing to a minimum height of 1.8metres;
- I would recommend that wooden close boarded fencing over the low walls and between the brick piers is fitted toward the outer edge of the wall to prevent footholds on the external side which could enable climbing;
- In circumstances that require a more open feature such as a garden overlooking a rear parking court or a rear garden pathway, 1.5metre high close board fencing topped with 300mm of trellis can achieve both security and surveillance requirements. This solution provides surveillance into an otherwise unobserved area and a security height of 1.8 metres;
- Gates that provide access to the side of the dwelling or rear access to gardens must be robustly constructed of timber, be the same height as the adjoining fence and be lockable from both sides;
- Gates must be located on or as near to the front of the building line as possible;
- It is important that the boundary between public and private areas are clearly indicated and do not impede natural surveillance;
- It is desirable for dwelling frontages to be open to view, so walls fences and hedges will need to be kept low or alternatively feature a combination of wall (maximum height 1metre) and railings or timber picket fence if a more substantial front boundary is required;
- Where bicycle storage is provided by a robust shed, SBD document (Homes 2016) chapter 53 (found at www.securedbydesign.com) gives recommendations regarding the minimum requirements for shed construction.
- Lighting throughout the development will be an important consideration and should conform to the recommendations within BS5489:2013;
- Lighting is required to illuminate each dwelling elevation containing an external door set, car parking & garage areas including footpaths leading to dwellings where the public, visitors or occupants of the building are expected to use;
- I would recommend dusk to dawn energy efficient LED switched lighting (research has shown that a constant level, of illumination is more effective at controlling the night environment); and
- SBD Homes 2016 Chapter 18 and 25: Chapter 30 and Chapter 56 refers to street and dwelling lighting specifications.



Neil Crowther
Group Head of Planning

Case Officer: Mr S Davis

Date of Decision:

12 February 2019

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).