

DECISION NOTICE

Application Ref: FP/176/24/PL

1 To Addressee

Mr P Sonntag
30 Bridger Close
Felpham
PO22 8FT

2 Site Address

1 Burley Road
Felpham
PO22 7NF

3 Description of Development

Demolition of existing dwelling and garage and erection of 1 No. dwelling (self build). This application is in CIL Zone 4 and is CIL Liable as a new dwelling.

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:

- Location and Block Plan - E-001
- Proposed Site Plan - P-001
- Proposed Ground Floor Plan - P-002
- Proposed First Floor and Roof Plan - P-003
- Proposed North and South Elevations - P-005
- Proposed East and West Elevations - P-004

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

- 3 No development apart from demolition of the existing buildings shall commence, until full details of the proposed surface water drainage scheme is submitted to and approved in writing by the local

planning authority. The full details submitted for approval shall include:

1. Winter groundwater monitoring,
2. Winter infiltration testing strictly in accordance with BRE DG 365 or similar approved,
3. Details of the proposed method and location of surface water disposal, in accordance with the SuDS hierarchy,
4. Impermeable area plan,
5. Calculations modelling the surface water drainage network for the following storm events:
 - a. 100% Annual Exceedance Probability
 - b. 10% AEP + climate change allowance
 - c. 3.3% AEP + climate change allowance
 - d. 1% AEP + climate change allowanceAll storm events must include an allowance for urban creep and surcharged outfalls where appropriate,
6. Detailed drainage plans conforming to Local Planning Authority guidance,
7. Specifications for all surface water drainage components and associated infrastructure or flow control mechanisms,
8. Any relevant permissions relating to the discharge location, works to watercourses or adoption of the SuDS scheme.

The scheme shall then be constructed as per the approved plans. The surface water drainage scheme shall remain for the lifetime of the development unless agreed in writing by the local planning authority.

Reason: In order to comply with Arun Local Plan policies W DM2 and W DM3 and the NPPF. It is considered necessary for this to be a pre-commencement condition as the site lies in a defined Lidsey Local Flood Risk Zone and it is important to ensure that the drainage scheme is agreed before construction commences.

- 4 No internally or externally located plant, machinery equipment or building services plant shall be operated on the site until an assessment of the acoustic impact arising from the operation of all such equipment has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken in accordance with BS 4142:2014+A1:2019 and shall include a scheme of attenuation measures to mitigate the adverse impacts identified in the acoustic assessment. The scheme shall ensure that the rating level of noise emitted from the proposed building services plant is 5 dB less than the prevailing background sound level (LA90). The scheme as approved by the Local Planning Authority shall be fully installed prior to first operation of the plant and shall be retained as such thereafter. Any agreed attenuation measures shall be permanently maintained in good working condition.

The applicant should review the Planning Noise Advice Document - Sussex, November 2023: <https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n19846.pdf&ver=24686>.

Reason: To protect the amenity of local residents in accordance with the Arun Local Plan policy QE DM1.

- 5 Prior to any development above damp-proof course (DPC) level, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the 'Preliminary Bat Roost Assessment Feb 2025' shall be submitted to and approved in writing by the Local Planning Authority.

The enhancement measures shall be implemented in accordance with the approved details prior to first occupation of any part of the development and all features shall be retained in that manner thereafter.

Reason: To enhance protected and priority species and habitats in accordance with Arun Local Plan policies ENV SP1 and ENV DM5 and allow the Local Planning Authority to discharge its duties under the NPPF and s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats & species).

- 6 No development above damp-proof course (DPC) level shall take place unless and until a detailed colour schedule of materials and finishes to be used for external walls and roof of the proposed building have been submitted to and approved in writing by the Local Planning Authority and the materials so approved shall be used in the construction of the building/extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of character and appearance in accordance with Arun Local Plan policies D DM1 and D SP1.

- 7 The 3 first floor windows on the western elevation of the dwelling shall at all times be glazed with obscured glass to a level equivalent to Pilkington Level 3 or nearest equivalent standard and non-openable below 1.7m above finished floor level. This arrangement shall be permanently retained thereafter.

Reason: To protect the amenities and privacy of the adjoining property in accordance with Arun Local Plan policies D DM1 and QE SP1.

- 8 Prior to occupation of the approved dwelling, the applicant or developer shall provide the dwellings with electric vehicle charge points in accordance with the council's standards as set out in its Parking Standards SPD. This requires that where a dwelling has a driveway or garage then one of those parking spaces shall be provided with a charging point, with ducting then being provided to all other spaces, where appropriate, to provide passive provision for these spaces to be upgraded in future. The electric vehicle charge points shall thereafter be retained and maintained in good working condition.

Reason: To mitigate against adverse impacts on local air quality and to promote sustainable travel, in accordance with Arun Local Plan policy QE DM3(c), the Arun Parking Standards SPD and the NPPF.

- 9 Demolition/construction works shall only take place between 08:00 hours and 18:00 hours (Monday to Friday) and between 08:00 hours and 13:00 hours on Saturday with no activities taking place on Sundays or recognised public holidays. In addition to these hours of working, the Local Planning Authority may approve in writing a schedule of activities where it is necessary to conduct works outside the hours specified in this condition.

Reason: To protect the amenity of local residents in accordance with the Arun Local Plan policy QE SP1.

- 10 The approved development shall include energy efficiency measures that reflect the current standards applicable at the time of submission and decentralised, renewable or low carbon energy supply systems. Any physical features that are required as part of the works must be installed prior to the occupation of each dwelling and shall be thereafter permanently maintained in good working condition.

Reason: In order to secure a reduction in the use of energy at the site in accordance with national planning policy and Arun Local Plan policy ECC SP2.

Statutory Biodiversity Gain Plan Condition

- 11 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission relates to a development which consists of no more than 9 dwellings; is carried out on a site which has an area of no larger than 0.5 hectares; and consists exclusively of dwellings which are self build or custom housebuilding.

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 Councils 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 (as amended). The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission 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, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read the New Connections Services Charging Arrangements documents via <https://beta.southernwater.co.uk/infrastructurecharges>.



Neil Crowther
Group Head of Planning

Case Officer: Amber Willard

Decision Issued: **1st April 2025**

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).