



**The Town & Country Planning Act 1990 (as amended)
Town & country Planning (Development Management
Procedure) (England) Order 2015 - Article 6
Application for Approval of Reserved Matters Following
Outline Approval**

DECISION NOTICE

Application Ref: LU/278/17/RES

1 To Addressee

Persimmon Homes Thames Valley
Persimmon House
Knoll Road
Camberley
GU15 3TQ

2 Site Address

North Littlehampton Strategic Development Site
Land West of Toddington Park, Toddington Lane

BN17 7PP

3 Description of Development

Approval of Reserved Matters following Outline Permission LU/47/11 for Construction of the southern section of the Lyminster Bypass, including northern and southern roundabouts, surface water drainage and landscaping. Departure from the Development Plan & affects a Public Right of Way.

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 approved shall be carried out in accordance with the following approved drawings, or as otherwise agreed in writing with the Local Planning Authority after consultation with the Local Highway Authority.

- Drawing Number MBSK170907-1 Rev. P1 - Extent of Lyminster Bypass Southern Section Works
- Drawing Number A/PHLYM.1/GA-1 Rev P15 - Southern By-pass Roundabout General Arrangement Drawing
- Drawing Number A/PHLYM.1/GA-2 Rev P14 - A259 Worthing Road Roundabout General Arrangement Drawing
- Drawing Number A/PHLYM.1/ST-1 Rev P9 - Southern Bypass Roundabout Surface Treatments Drawing
- Drawing Number A/PHLYM.1/ST-2 Rev P10 - A259 Worthing Road Roundabout Surface Treatments Drawing
- Drawing Number A/PHLYM.1/VIS-1 Rev P9 - Southern Bypass Roundabout Visibility Splays
- Drawing Number A/PHLYM.1/VIS-2 Rev P10 - A259 Worthing Road Roundabout Visibility Splays
- Drawing Number A/PHLYM.1/TR-1 Rev P7 - Southern Bypass Roundabout Tree Removal Drawing
- Drawing Number A/PHLYM.1/TR-2Rev P7 - A259 Worthing Road Roundabout Tree Removal Drawing
- Drawing Number A/PHLYM.1/TK-1 Rev P8 - Anticipated Vehicle Swept Paths
- Drawing Number A/PHLYM.1/TS01 Rev P1 - Proposed Traffic Signing Strategy
- Drawing Number 35944_2001_001 Rev. L - Proposed Road Alignment and Contours
- Drawing Number 35944/2001/002 Rev. C - Proposed Finishes and Kerbing
- Drawing Number 35944/2001/003 - Highway Construction Details (Sheet 1 of 2)
- Drawing Number 35944/2001/004 - Highway Construction Details (Sheet 2 of 2)
- Drawing Number 35944/3501/004 Rev P5 - Reco Walls (WSCC Ref: 6078 & 6079) - General Arrangement
- Drawing Number SLB1 Rev. E - Landscape Proposals (Sheet 1 of 2)
- Drawing Number SLB2 Rev. E - Landscape Proposals (Sheet 2 of 2)
- Drawing Number SLB3 Rev. E - Landscape Proposals: Northern roundabout
- Drawing Number SLB3.1 Rev. E - Landscape Proposals: Northern roundabout (showing drainage and visibility splays)
- Drawing Number SLB4 Rev. E - Landscape Proposals: Southern roundabout
- Drawing Number SLB4.1 Rev. E - Landscape Proposals: Southern roundabout (showing drainage and visibility splays)
- Drawing Number SK02 - Receptor and Acoustic Barrier Locations

1. Stage 1 Road Safety Audit (RSA) - March 2017.
2. Designer's Response to March 2017 RSA.
3. Addendum Stage 1 RSA - September 2017.
4. Designer's Response to September 2017 RSA.
5. RSA 1 Addendum 2 Report
6. RSA 1 Addendum 2 Designer's Response

Reason: For the avoidance of doubt and in the interests of amenity and the environment, road safety and to ensure appropriate design in accordance with Policy QE SP1 of the Arun Local Plan.

- 2 Within 3 months of the date of this planning permission, a scheme of public artwork should be submitted to and approved in writing by the Local Planning Authority, for the provision of artwork on or in close proximity to the 2 roundabouts along the southern section of the Lyminster Bypass. The approved scheme of public artwork shall be implemented prior to the opening of the southern section of the Lyminster Bypass.

Reason: To ensure that the proposed development incorporates public artwork at this strategic gateway into Littlehampton, in accordance with Policy QE SP1, Policy D SP1 and Policy D DM1 of the Arun Local Plan.

INFORMATIVE: Section 59 of the 1980 Highways Act - Extra-ordinary Traffic*

The applicant is required to enter into a Section 59 Agreement under the 1980 Highways Act to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The Applicant is advised to contact the Area Highway Engineer WSCC in order to commence this process. *Note this is only required if HGV traffic exceeds 20 movements per working day.

INFORMATIVE: The applicant is required to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the proposed adoptable on-site highway works. The applicant should to contact The Implementation Team Leader (0330 2225704) to commence this process. The applicant is advised that any works commenced prior to the S38 agreement being in place are undertaken at their own risk.

INFORMATIVE: Section 278 Agreement of the 1980 Highways Act - Works within the Highway
The applicant is required to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works if they affect the existing public highway. The applicant should contact The Implementation Team Leader (0330 2225704) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

INFORMATIVE: Temporary Works Required During Construction

The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

INFORMATIVE: Temporary Developer Signage

The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.

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 developer must advise the Local Planning Authority, in consultation with Southern Water, of the measures which will be undertaken to protect the public sewers and water mains, prior to commencement of the development.

INFORMATIVE: Any works to the trees or vegetation clearance on the site should only be undertaken outside the bird breeding season, which takes place between 1st March and 1st October. If works are required within this time the 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: Michael Eastham

Date of Decision:

4 October 2018

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).

