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99-109 Lavender Hill
Wandsworth
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Please ask for: Mrs A Gardner
Email: Anita.Gardner@arun.gov.uk
Telephone: [REDACTED]
Our Ref: LU/328/18/PL
Your Ref:
Date: 7th February 2019

Dear Mr Green,
Application for Planning Permission

Town and Country Planning (Pre-commencement Conditions) 2018 - Notice regarding intention to impose pre-commencement conditions

A pre-commencement condition is defined in section 100ZA(8) as a condition imposed on a grant of planning permission (other than a grant of outline planning permission within the meaning of section 92 of the 1990 Act) which must be complied with (a) before any building or operation comprised in the development is begun, or (b) where the development consists of a material change of use of any buildings or other land, before the change of use is begun.

Arun District Council are considering imposing the following pre-commencement conditions on the application mentioned above.

The following Pre Commencement Condition/s are Required:

- 4 Prior to commencement of development a sound insulation scheme shall be submitted to and approved by the Local Planning Authority. This shall include post validation testing to determine compliance with BS8233:2014. Where initial occupation of the lower ground floor may be delayed then a suitable noise source must be applied to any overhead sensitive location identified in testing. The development shall proceed in accordance with the approved details.

Reason: In the interests of residential amenity of the approved properties in accordance with Arun Local Plan policies QEDM1. It is considered necessary for this to be a pre-commencement condition to ensure that the development only proceeds once adequate sound insulation is agreed.

Reason: In the interests of residential amenity of neighbouring properties in accordance with Arun Local Plan policy QE DM1.

- 7 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.

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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 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.

- 9 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 and roof of the proposed roof garden staircase have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the staircase.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity/and character and appearance of the Listed Building/ by endeavouring to achieve a building of visual quality in accordance with policy DDM1 of the Arun Local Plan.

- 8 No development above damp proof course (DPC) level shall take place until a sample panel incorporating the replica brick bond and quoining details of the external finishes (including the proposed, style, coursing and mortar ratio) have been constructed on the site, and approved by the Local Planning Authority and the materials and sample panels so approved shall be adhered to as the construction specification for the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

From 1 October 2018 section 100ZA(5) provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition (except in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018).

In order to progress your application you are asked to confirm in writing your acceptance of the proposed condition(s) before the **21st February 2019**. If you provide a substantive response before this date we may be able to issue a decision prior to that date.

Your other options are:-

- Provide comments before the 21st February 2019 on the proposed pre-commencement condition, in which case that condition cannot be imposed
- Choose not respond (i.e. remain silent). If there is no response by the date given in the notice the local planning authority may grant planning permission subject to the terms of the pre-commencement condition specified in the notice
- indicate before the 21st February 2019 that you do not agree to the terms of the proposed pre-commencement condition, in which case the local planning authority may then either:
 - i. grant planning permission without the pre-commencement condition,
 - ii. seek written agreement to an alternative pre-commencement condition, or
 - iii. refuse to grant permission (if it considers that the disputed pre-commencement condition is necessary to make the development acceptable in planning terms).

Please contact me to discuss the matter if there is anything in the letter that you require clarification on.

If you wish to discuss the contents of this letter, or if there is anything you do not understand, please contact me. the case officer on the above details if you have any questions or queries.

Yours sincerely



Neil Grewther
Group Head of Planning