

DECISION NOTICE

Application Ref: LU/330/18/PL

1 To Addressee

Miss S Sutcliffe
Thakeham Homes Ltd
Thakeham House
Stane Street
Billingshurst
RH14 9GN

2 Site Address

Land South Of Cornfield Close
Littlehampton
BN17 6LD

3 Description of Development

Demolition of existing buildings & the erection of 77 residential homes with associated access, car parking, cycle parking, refuse/recycling storage, landscaping, earthworks & infrastructure

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 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).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:
Site Location Plan 1:1250 1000 00
Existing Topographic Survey 1:500 2002 00
Proposed Site Plan 1:500 2000 01
Proposed Block Plan 1:500 2001 01
Parking Plan 1:500 2003 00
House Type A & C4 - Plans and Elevations 1:100 2100 00
House Type B Plans & Elevations 1:100 2110 02
House Type B1 Plans & Elevations 1:100 2111 00
House Type B2 Plans & Elevations 1:100 2112 00
House Type B Lower Pitch Roof 1:100

Plans and Elevations 2113 01
House Type C Plans & Elevations 1:100 2120 00
House Type C1 Plans & Elevations 1:100 2121 00
House Type C2 Plans & Elevations 1:100 2122 00
House Type C3 Plans & Elevations 1:100 2123 00
House Type D Plans & Elevations 1:100 2130 00
House Type E Plans & Elevations 1:100 2140 00
Flats Block A Plans & Elevations 1:100 2150 00
Flats Block B Plans 1:100 2160 00
Flats Block B Elevations 1:100 2161 00
Site Sections AA & BB 1:200 2200 00
Site Sections CC & DD 1:200 2201 00
Site Sections EE & FF 1:200 2202 00
Rendered Elevations AA & BB 1:200 2203 00
Rendered Elevations CC & DD 1:200 2204 00
Rendered Elevations DD & EE 1:200 2205 00
Landscape Masterplan 1:500 THA21635 10
Tree Protection Plan 03a

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

- 3 All activity at the site is to be carried out in strict accordance with: - Arboricultural Impact and Method Statement Report Ref: THA21635aia-amsB, Rev.C:3.06.2019 dated 18/09/2018 (ACD Environmental).

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 District Council 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, dwg.no. THA21635-03A rev B, dated 03.06.2019.

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.

Reason: To comply with policy ENV DM4 of Arun Local Plan and 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. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences or the trees will be at risk.

- 4 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources or equivalent fabric first standards that would secure a 10% reduction in energy use. Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented in accordance with the approved timetable and permanently retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to seek to achieve high levels of energy efficiency in accordance with policy ECC SP2 of Arun Local Planning Authority and the aims of the NPPF.

- 5 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.

Reason: In the interests of amenity and of the environment of the development in accordance with policy D DM1 of the Arun District Local Plan.

- 6 Prior to commencement of development a Construction Environmental Management Plan (CEMP) and Landscape and Management Plan (LEMP) including full details of the habitat management and enhancements to take place on site shall be submitted to and approved by the Local Planning Authority and the development shall proceed in accordance with the details so approved.

Reason: To safeguard the ecology of the area in accordance with policy ENV DM5 of Arun Local Plan. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences in order to protect wildlife.

- 7 No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- An indicative programme for carrying out of the works.
- The anticipated number, frequency and types of vehicles used during construction, including restricting construction traffic to travel outside of the network peak periods.
- The method of access and routing of vehicles during construction.
- The parking of vehicles by site operatives and visitors.
- The loading and unloading of plant, materials and waste,.
- The storage of plant and materials used in construction of the development.
- The erection and maintenance of security hoarding.
- The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders).
- Details of public engagement both prior to and during construction works.
- Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s).
- Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination.
- Measures to control the emission of dust and dirt during construction.
- A scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of highway safety and the amenities of the area in accordance with policies TSP1 and DDM1 of the Arun Local Plan. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences.

- 8 The development shall proceed in accordance with the submitted Flood Risk Assessment from Glanville Issue 4: 9 November 2018 Ref: CV8171223/SMcN/023 ,the Ground Investigation Report dated 5th November 2018 ref: 17106 -GAR/AP01/231018 and the Remediation Strategy and & Verification Plan dated 06.12.2018 (Ref: GE17106-RSVP-GE-NOV18 Version 1.1.

Reason: To ensure that the site does not pose any further risk to human health or the water environment in accordance with Arun Local Plan policies QE SP1 and QE DM4.

- 9 Within 3 months of the start of the development, the Developer shall agree a timetable for submission of periodic verification reports to demonstrate the completion of works set out in the approved remediation strategy and the effectiveness of the remediation. The reports shall include a maintenance plan in respect of contamination, including a timetable of monitoring and shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. The development shall proceed in accordance with approved details.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete in accordance with Arun Local Plan policies QE SP1 and QE DM4.

- 10 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 a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

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.

- 11 Piling & investigation boreholes using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. The development shall be carried out and completed in accordance with details so approved.

Reason: To prevent pollution of groundwater in accordance with Arun Local Plan policy W DM1.

- 12 No dwelling shall be occupied until the roads, including the access point (detailed on drawing 8171223/6102 in Appendix E of the Transport Statement), footways, and casual parking areas serving the dwelling have been constructed, surfaced, and drained in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To secure satisfactory standards of access for the proposed development in accordance with policy TSP1 of Arun Local Plan.

- 13 Prior to the commencement of construction works details of a proposed foul water disposal shall be submitted to and approved in writing by the Local Planning Authority details in consultation with Southern Water and no dwelling shall be occupied until works for the disposal of sewage have been fully implemented, for the relevant phase, in accordance with the approved details.

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. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences

- 14 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 roofs of the proposed dwellings have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the dwellings.

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.

- 15 Prior to occupation of any of the dwellings, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved dwellings shall be submitted to the Local Planning Authority for approval and thereafter implemented in accordance with the approved details and the charge points shall thereafter be permanently retained and maintained in good 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, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the National Planning Policy Framework."

- 16 No development above damp proof course (DPC) level shall take place until precise details of boundary fencing have been submitted to and approved by the Local Planning Authority and no dwellings shall be occupied until such fences have been erected.

Reason: In the interests of amenity in accordance with policy D DM1 of the Arun Local Plan.

- 17 Development shall not commence, other than works of site survey and investigation, 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, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended 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.

- 18 Development shall not 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 or 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.

- 19 Prior to occupation of any of the dwellings, a scheme for the provision of facilities for the

unequipped Local Area for Play, identified on the Site Plan, which shall include a seat bin and natural elements such as mounds and rounded boulders shall be submitted to the Local Planning Authority for approval and thereafter shall be implemented in accordance with the approved details prior to completion of the development.

Reason: In the interests of amenity to ensure adequate facilities are included to serve the development in accordance with policy INF SP1 of the Arun Local Plan.

- 20 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 of plots 8-14, 51 and 59 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 DDM1 of the Arun Local Plan.

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 our New Connections Services Charging Arrangements documents which is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.

INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.

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 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: The applicant's attention is drawn to the requirements of the Environmental Protection Act 1990 and the Clean Air Act 1993 with regard to burning on site. A 'Statutory Nuisance' may be caused by smoke and ash from fires or noise from the cutting or chipping trees. In addition, air quality could be adversely affected on large projects. The granting of this planning permission does not permit a statutory nuisance to be caused. The Environment Agency should also be contacted regarding Exemption Permits to burn on site.

INFORMATIVE: The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) 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: The applicant is advised that they must apply and obtain approval from West Sussex County Council as Highway Authority for all temporary directional signs to housing developments that are to be located on the highway. Further details of the process and how to apply are available here <https://www.westsussex.gov.uk/roads-andtravel/information-for-developers/temporary-development-signs/#overview>

INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to contributions towards infrastructure and provision of a minimum of 30% affordable housing.



Neil Crowther
Group Head of Planning

Case Officer: Mrs A Gardner

Decision Issued: **14th August 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).