

DECISION NOTICE

Application Ref: M/109/21/PL

1 To Addressee

Partners in Planning and Architecture
Suite 2 Clare Hall
St Ives Business Park
Parsons Green
St Ives
PE27 4WY

2 Site Address

188 Elmer Road
Middleton-On-Sea
PO22 6JA

3 Description of Development

Erection of replacement dwelling. This site is in CIL Zone 4 and is CIL Liable as 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:

18-070-101 Rev C "Proposed Block Plan and Street Scene";
18-070-GF Rev H "Ground Floor";
18-070-FF Rev H "First Floor";
18-070-SF Rev H "2nd Floor";
18-070-R Rev H "Roof Plan";
18-070-SEC Rev H "Basic Sections";
18-070-E1 Rev H "Front & Rear Elevations"; and
18-070-E2 Rev H "Side Elevations2."

Reason: For the avoidance of doubt and in the interests of amenity and the environment in

accordance with policies D DM1, T SP1 and QE SP1 of the Arun Local Plan.

- 3 The development shall be carried out in accordance with the submitted flood risk assessment (ref 6299, dated June 2021) by Ambiental Environmental Assessment, and the mitigation measures it details at section 7.13. This includes having the First Floor Finished Floor Level of the development set no lower than 6.01mAOD and having the sleeping accommodation solely on the First and Second Floors of the property. The mitigation measures shall be fully implemented prior to occupation and retained & maintained thereafter throughout the lifetime of the development.

Reason: To ensure the safety of the development and future occupants in accordance with policy W DM2 of the Arun Local Plan and the National Planning Policy Framework.

- 4 No demolition/construction activities shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no noisy work on Sunday or Bank/Public Holidays. In addition to these hours of working the Local Planning Authority may, upon application, 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 Policy QE SP1 of the Arun Local Plan.

- 5 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 part of the 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.

- 6 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 of the following:

- the anticipated number, frequency and types of vehicles used 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,
- details of public engagement both prior to and during construction works,
- details to prevent building materials, pollutants and site litter reaching the beach.

Reason: In the interests of highway safety, the amenities of the area and the marine environment in accordance with Arun Local Plan policies TSP1 & QE SP1 of the Arun Local Plan and the policies of the South Inshore & South Offshore Marine Plan. This is required to be a pre-commencement condition because it is necessary to have the construction site details agreed prior to access by construction staff.

- 7 No development above damp proof course (DPC) level shall take place unless and until a colour

schedule of materials and finishes to be used for all external surfaces of the proposed building has been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan and the NPPF.

- 8 No development above damp proof course (DPC) level shall take place until full details of the placement of 2 bird nesting boxes either on the house or in the rear garden have been submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented in full prior to occupation and thereafter retained to the satisfaction of the Local Planning Authority.

Reason: In the interests of biodiversity enhancement as per the requirements of Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

- 9 Prior to occupation of the dwelling, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved dwelling shall be submitted to the local planning authority for approval and thereafter implemented in accordance with the approved details and the charge point shall thereafter be retained and maintained in good working condition.

Reason: New petrol and diesel cars/vans will not be sold beyond 2030, to mitigate against any potential adverse impact of the development on local air quality and to provide sustainable travel options in accordance with policies T SP1, T DM1 & QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the National Planning Policy Framework (NPPF).

- 10 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

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

- 11 The new dwelling shall not be occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will incorporate decentralised, renewable and low carbon energy supply systems including full details of solar panels or air source pumps. The approved scheme shall thereafter be implemented prior to occupation of the dwelling and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: To ensure that the development is energy efficient and in accordance with policy ECC SP2 of the Arun

- 12 As shown on the approved elevation/floorplan drawings, the four upper floor flank windows on the east/west elevations shall be glazed with obscured glass and permanently retained so thereafter. They shall also be non- or top-vent opening only as per the notations on the approved floorplans.

Reason: To protect the amenities and privacy of future occupiers and of the adjacent properties in accordance with policies D DM1 and QE SP1 of the Arun Local Plan.

- 13 No windows (other than those shown on the plans hereby approved) shall be constructed in the upper floors of the western or eastern elevations of the dwelling 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 adjoining properties in accordance with

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 Council's 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. 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: 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 BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm event plus 40% on stored volumes/rainfall intensity (allowance for climate change) 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 storm event plus 40% on stored volumes/rainfall intensity. 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 regarding surface water drainage are located at <https://www.arun.gov.uk/drainage-planning-consultations> on Arun District Council's website. A surface water drainage checklist is available on Arun District Council's website, this should be submitted with a Discharge of Conditions Application.

INFORMATIVE: The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up. For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-forflooding>. To get help during a flood, visit <https://www.gov.uk/help-during-flood>. For advice on what to do after a flood, visit <https://www.gov.uk/after-flood>.

INFORMATIVE: The Environment Agency strongly recommends the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage. To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning practice guidance. The following documents may also be useful:

Flood resilient construction of new buildings: <https://www.gov.uk/government/publications/flood-resilient->

construction-of-newbuildings.

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 which is available to read via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.



Neil Crowther
Group Head of Planning

Case Officer: Mr S Davis

Decision Issued: **27th October 2021**

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).