



Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England)
Order 2015

Application for Planning Permission

DECISION NOTICE

Application Ref: M/155/18/PL

1 To Addressee

LOOK, design + build
 Forum House
 Stirling Road
 Chichester
 West Sussex
 PO19 7DN

2 Site Address

5 Central Drive
 Middleton-On-Sea
 PO22 7TT

3 Description of Development

Replacement dwelling (resubmission following M/114/18/PL).

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;

Proposed Block Plan dwg.no. PA-270-11 dated 14.12.2018
 Proposed Floor Plan dwg.no. PA-270-05 dated 14.12.2018
 Proposed Roof dwg.no. PA-270-06 dated 14.12.2018
 Proposed Section AA dwg.no. PA-270-08 dated 14.12.2018
 Proposed Drainage Layout dwg.no. PA-270-12 dated 14.12.2018

Proposed Materials dwg.no. PA-270-25 Rev A dated 07.02.2019
 Proposed Elevations dwg.no. PA-270-07 Rev A dated 07.02.2019

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and DSP1 of the Arun Local Plan.

- 3 All windows on the east and west elevations of the building including the side panels of the rear balcony at first floor level shall at all times be glazed with obscured glass and fixed to be permanently non-opening below 1.7 metres in height.

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

- 4 All activity at the site is to be carried out in strict accordance with: - Arboricultural Impact Assessment and Method Statement (LLD1671-ARB-REP-001, Rev.01, 27th March 2019) with the exception of any reference to the Monterey cypress tree which has now been felled.

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 DC 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 Retention and Protection Plan (LLD1671-ARB-DWG-002, Rev.01, 26.03.19) with the exception of any reference to the Monterey cypress tree which has now been felled.

.A schedule of Site Monitoring/Supervision visits and Reporting Procedures prepared by an Arboricultural Expert will be required and their extent will be agreed on at the above site meeting to the satisfaction of the Arun DC Tree Officer.

Reasons: To comply with 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 in accordance with policy ENV DM4 of the Arun Local Plan. The pre-commencement condition is required to ensure the protection of the neighbouring mature cedar tree on the adjoining site close to the boundary.

- 5 The planting of an ornamental tree and low level planting and construction of hard landscaping including the close boarded fence to the front of the property and the retention of the existing trees and hedging shall be carried out in accordance with the details shown on plan Proposed Block Plan dwg.no. PA-270-11 dated 14.12.2018. All tree and hedge planting in the approved details shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees, planting or hedging which within a period of 5 years from the completion of the 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 Local Plan.

- 6 No part of the development shall be first occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will achieve energy efficiency measures that reflect the current standards applicable at the time of submission and includes the use of renewable energy supply systems. The approved scheme

shall thereafter be implemented prior to occupation of the residential unit 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 Local Plan.

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;

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>.

Our initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer.

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers, it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water at the above address.

Due to surface water inundation issues in the Lidsey Catchment "The applicant is advised to adopt, where appropriate, the measures in the table "Practical measures to reduce the potential impacts of development".

Developer should look to protect the public sewerage system from inundation and infiltration, which contribute to flooding in unfavourable conditions.



Neil Crowther
Group Head of Planning

Case Officer: Mr A Wood

Decision Issued: **6th June 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).