ARUN DISTRICT COUNCIL

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: P/107/16/PL

1 **To Addressee**

Caldotec Ltd
Caldotec Ltd
11 The Parade
Willowhayne Crescent
East Preston
West Sussex
BN16 1NS

2 **Site Address**

7 Webb Close
Pagham
PO21 4XB

3 **Description of Development**

2No. semi detached 2 bed dwellings

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:

"Location, Block & Existing Site Plans" dwg. 15195/01a No Dims R1l;
"Location Block and Proposed Site Plans" dwg. 15195/01 R1;
"Location Block and Proposed Site Plans showing Dimensions" dwg. 15195/01a R1;
"Proposed Floor Plans, Elevations & Roof Plan" dwg. 15195/02;
"Existing & Proposed Street Scene from Point 'A'" dwg. 15195/03a;
"Existing & Proposed Street Scene from Point 'B'" dwg. 15195/03b; and
"Reptile mitigation plan - Post development compensation and enhancement".

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

3 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.

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 GEN7 and GEN9 of the Arun District Council Local Plan.

4 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 two buildings and in respect of new hardsurfacing have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a development of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

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 GEN7 of the Arun District Local Plan.

6 No development above damp proof course (DPC) level shall take place until details of the new screen wall/fences between the two properties has been submitted to and approved by the Local Planning Authority and no dwellings shall be occupied until such screen wall/fence associated with them have been erected.

Reason: In the interests of amenity in accordance with policy GEN7 of the Arun District Local Plan.

7 No development shall commence until the vehicular access serving the development has been constructed in accordance with the approved planning drawing.

Reason: In the interests of road safety and in accordance with Policy GEN7 of the Arun District Local Plan and the National Planning Policy Framework.

8 No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall included details for all temporary contractors buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

Reason: To avoid undue congestion of the site & consequent obstruction to access in accordance with Policy GEN7 of the Arun District Local Plan and the National Planning Policy Framework. This is required to be a pre-commencement condition as it relates to construction activities.

9 The development must be carried out in accordance with the recommendations contained within the submitted Ecological Assessment (dated 05/08/16), the Reptile Mitigation Plan which details post development compensation & enhancement and the accompanying Working Method Statement for Site Clearance. The enhancements and mitigation measures shall be retained and thereafter maintained.

Reason: In accordance with Arun District Local Plan policy GEN29 and the National Planning Policy Framework.

10 None of the houses shall be occupied unless and until details for the storage of waste and recycling has been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of nearby residents and the appearance of the streetscene in accordance with Arun District Local Plan policy GEN7.

11 The new dwellings shall not be occupied unless and until details indicating the placement of 2 nesting opportunities for birds (species such as swallows, swifts & housemartins) and a roosting structure suitable for bats on or around the buildings, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full and thereafter retained to the satisfaction of the Local Planning Authority.

Reason: To safeguard the ecology of the area, and in the interests of birds & bats in accordance with policies GEN7 and GEN29 of the Arun District Local Plan and the National Planning Policy Framework.

12 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 Policies GEN7 & GEN12 of the Arun District Local Plan and the National Planning Policy Framework.

13 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and in accordance with Policies GEN7 & GEN12 of the Arun District Local Plan and the National Planning Policy Framework.

14 No external lighting shall be installed on the site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The scheme should also minimise potential impacts to any bats using the site by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Reason: In the interests of the site biodiversity (particularly in respect of bats) in accordance with Policy GEN29 of the Arun District Local Plan.

15 Should it prove necessary to clear bird nesting habitat during the bird nesting season, then within 24 hours of such works, a pre-works check for nesting birds should be undertaken by a CIEEM ecologist. If any active nests are found then all site clearance/demolition activities should cease and an appropriate buffer zone around the nest should be established. This buffer zone should be left intact until it has been confirmed that the young have fledged and the nest is no longer in use.

Reason: To safeguard the ecology of the area, and in the interests of birds in accordance with policies GEN7 and GEN29 of the Arun District Local Plan and the National Planning Policy Framework.

16 None of the houses shall be occupied unless and until a 1.8m high opaque screen has been erected to the existing external stairway of no. 7 Webb Close in accordance with the approved drawing 15195/03a. The opaque screen shall thereafter be permanently retained in perpetuity.

Reason: To protect the amenities and privacy of the adjoining properties in accordance with policy GEN7 of the Arun District Local Plan.

17 The first floor flank stairway windows on the north-western and south-eastern elevations of the buildings shall at all times be glazed with obscured glass and fixed to be permanently non-opening.

Reason: To protect the amenities and privacy of the adjoining properties in accordance with policy GEN7 of the Arun District Local Plan.

18 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 two dwelling houses shall be constructed or buildings shall be erected within the curtilage 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 GEN7 of the Arun District Local Plan.

INFORMATIVE: Should any protected species or evidence of any protected species be found prior to or during the development, all works must stop immediately and an ecological consultant or Chichester District Council's ecologist contacted for further advice before works can proceed. All contractors working on site should be made aware of this advice and provided with the contact details of a relevant ecological consultant.

INFORMATIVE: The applicant is advised to contact the Highway Licensing team (01243 642105) to obtain formal approval from the highway authority to carry out the site access works on the public highway.

INFORMATIVE: The wild flower areas could be further enhanced by the addition of a bee bank nearby, this will need specific management and an adjustment to the service provision. The bee bank should be constructed using sand, a tiny amount of concrete and a small amount of small stones/aggregate/pebbles. The rough dimensions should be 5 (L) by 2 (W) by 1 (H) meters and it
should be south facing to catch maximum sun.

INFORMATIVE: Regarding the management of the proposed wildflower areas; the service provision for these should include 2 hay cuts and collects per year the first being late February/early March and the second being in September. There should be no cuts made in the first year after sowing to allow the wild flower mixes to proliferate.

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: This decision has been granted in conjunction with a Section 106 legal agreement relating to a contribution of £2,550 towards the cost of providing access management measures relating to Pagham Harbour.

Case Officer: Mr S Davis

Date of Decision: **12 December 2016**

Karl Roberts
Director Planning & Economic Regeneration

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