



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/36/18/PL

1 To Addressee

Sussex Building Consultancy Limited
 3 Northcote Road
 Bognor Regis
 West Sussex
 PO21 5LZ

2 Site Address

30 Lagoon Road
 Pagham
 PO21 4TJ

3 Description of Development

Demolition & erection of 1 No. dwelling with associated vehicle hard standing area.

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;

"Location Plan" Rev D;
 "Site Plan" Rev A;
 "Proposed Site Plan" (including Tree Schedule & Drainage) Rev D;
 "Proposed Cross Section BB" Rev A;
 "Proposed Elevations South and West" Rev C;
 "Proposed Elevations North and East" Rev C
 "Proposed Ground Floor Plan" Rev A; and
 "Proposed Section" (no Rev).

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan 2011-31

- 3 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (Ref 1769-R2 - December 2017) and the following mitigation measure detailed within the FRA: Finished floor levels are set no lower than 3.775 metres above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to prevent flooding elsewhere, to ensure safe access/egress from/to the site and to reduce the risk of flooding to the proposed development and future occupants all in accordance with policy W DM2 of the Arun Local Plan 2011-31.

- 4 The development must be carried out in accordance with the submitted "Pollution Management Plan" (21/06/18) Ref 1735. The mitigation measures shall thereafter be permanently adhered to.

Reason: In accordance with Arun Local Plan 2011-31 policies W DM1, ENV DM1 and ENV DM2.

- 5 The development must be carried out in accordance with the mitigation measures in respect of surface water as detailed within the submitted "Drainage & Bin Storage/Collection Statement". The mitigation measures shall thereafter be permanently adhered to.

Reason: In accordance with Arun Local Plan 2011-31 policies W DM1, ENV DM1 and ENV DM2.

- 6 The development must be carried out in accordance with the mitigation measures set out within section 4.0 of the submitted "Preliminary Ecological Appraisal and Bat Scoping Survey" (15/11/17). In addition, all site clearance works should be conducted during the season reptiles are active and all vegetation should be cut down to 10cm prior to any works taking place and then carefully cleared. Any dead wood, stony areas or rubble piles should be dismantled by hand and relocated under supervision of a suitably qualified ecologist. The approved enhancements and mitigation measures shall be retained and thereafter maintained.

Reason: In accordance with Arun Local Plan 2011-31 policy ENV DM5.

- 7 No development including construction activities shall take place unless and until all of the existing trees/hedges to be retained on the site have been protected by both a fence and suitable ground protection in accordance with BS5837 (2012) & Section 9 for erection around each tree, group of trees and vegetation to the Root Protection Area (RPA) as calculated in accordance with Table 2 of BS5837 (2012).

Within the areas so fenced off the existing ground must not be cultivated, nor must it be lowered or raised or added to by the importation and spreading of top soil unless agreed by the Local Planning authority. There must be no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority.

The fencing and ground protection must then be retained for the duration of the development works. Following the erection of the ground protection measures, the Councils Arboriculturist must be contacted in order that a site visit can be made to check the position of the protective fencing/ground protection measures.

Reason: To ensure the retention and maintenance of trees and vegetation; which are an important feature of the area in accordance with policy ENV DM4 of the Arun Local Plan 2011-2031. This must be a pre-commencement condition because any commencement of works could have the potential to harm trees.

- 8 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 building have 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 2011-2031.

- 9 No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development in accordance with Policy T SP1 of the Arun Local Plan 2011-31.

- 10 No external lighting shall be installed on 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 trees, hedgerows and buildings 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 biodiversity of the site (particularly in respect of bats) in accordance with policy ENV DM5 of the Arun Local Plan 2011-31.

- 11 No removal of trees, shrubs or other vegetation that may contain birds' nests shall take place between 1st March and 31st August inclusive, unless a suitably qualified ecologist/wildlife specialist has undertaken a careful, detailed, check of vegetation for active birds' nests immediately before the vegetation is cleared and confirmed that no nests will be harmed. Where nests are discovered, the vegetation shall remain in place until nesting activity has ended naturally and the ecologist has confirmed that it is safe to proceed.

Reason: To prevent interference with the breeding success of wild birds in the interests of biodiversity conservation, as well as to ensure compliance with the legal protection of birds, their nests and eggs under Section 1 of the Wildlife and Countryside Act 1981, as amended, and in accordance with policy ENV DM5 of the Arun Local Plan 2011-31.

- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), (or any order revoking or re-enacting that Order) there shall be no extensions or alterations to the eastern facing roof plane unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the amenities of adjoining residential occupiers and the locality in general in accordance with policies D DM1 and HER DM4 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: The Environment Agency recommend that the owner/occupants sign up to the Environment Agency Flood Warning Service and have a flood evacuation plan in place.

INFORMATIVE: The Environment Agency recommend that consideration be given to use of flood mitigation measures to reduce the impact of flooding when it occurs. Flood mitigation measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. More information can be found in the communities and local Government publication 'Improving the flood performance of new buildings' which can be viewed at: <http://www.communities.gov.uk/publications/planningandbuilding/improvingflood>

Case Officer: Mr S Davis

Date of Decision:

23 August 2018



Neil Crowther
Group Head of Planning

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