



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: R/181/15/PL

1 To Addressee

Henry Adams Planning Ltd
 Rowan House
 Baffins Lane
 Chichester
 West Sussex
 PO19 1UA

2 Site Address

Land to the south of The Tiled Barn
 Station Road

 BN16 3AR

3 Description of Development

Erection of 2 No. 3 bed dwellings, demolition of existing garage & shed & erection of new car port. Resubmission following R/305/14/PL. This application affects the character & appearance of the Station Road Conservation Area.

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 conditions specified below and the obligations under the 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 2014/32/10 A, 2014/32/11, 2014/32/12, 2014/32/04, 2014/32/05 revB, RCo140/01 rev05, RCo140/02 rev01 and 2014/32/13.

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 Soft landscaping shall be carried out in accordance with the details shown on plan and the submitted planting schedule. All planting, seeding or turfing comprised 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 or plants 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 GEN7 of the Arun District Local Plan.

- 4 No development shall take place until there has been submitted to, and approved by, the Local Planning Authority, a hard landscaping scheme. The development shall proceed in accordance with the details so approved and shall be completed prior to occupation of the dwellings.

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

- 5 No development including site access, demolition or associated construction activities, shall take place on the site unless and until all the existing trees/bushes/hedges to be retained on the site have been protected by a fence in accordance with the submitted details.

Once the protective fencing has been erected, the Local planning authority arboricultural officer must be contacted to ensure the fencing is correctly placed. This fencing must be erected and kept in place for the duration of the development works. 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 prior written approval of the Local Planning Authority.

No trenching should occur within the protective fencing surrounding the Root Protection Area. When excavating for the new developments foundations any root structure exposed with a diameter over 25 mm should be retained. If the operators wish to remove roots of over 25mm in diameter, then the LPA arboricultural officer must be informed to supervise any root pruning/removal. This condition should be adhered to in completing the ground works in the RPA's of T3 and T7.

Reason: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with policy GEN7 of the Arun District Local Plan.

- 6 The burning of materials obtained by site clearance or from any other source shall not take place within 6 metres of the furthest extent of the canopy of any tree to be retained on the site or on land adjoining.

Reason: To protect trees and vegetation from fire damage in the interests of the visual amenities of the locality.

- 7 All side branches of tree T3 are to be retained should be at least 1/3rd in diameter of the removed branch. Pruning cuts must be flat and smooth, kept as small as possible by cutting at an optimum angle and should not exceed 100mm in diameter.

Reason: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice.

- 8 For the crown lift to T3 branches found within the clearance height having diameters greater than 100mm should be shortened and no more than 15% of the leaf bearing growth of that branch should be removed to facilitate the unobstructed free passage of vehicles and pedestrians.
- Reason: In the interests of the trees continued health and vitality and to accord with current industry guidelines and sound arboricultural practice.
- 9 The bathroom window on the north elevation of plot 2 shall at all times be glazed with obscured glass.
- Reason: To protect the amenities and privacy of the adjoining property in accordance with policies GEN7, DEV19 of the Arun District Local Plan.
- 10 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 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.
- 11 No windows (other than those shown on the plans hereby approved) shall be constructed at first floor level in the north elevation of plot 2 hereby permitted which adjoins the side boundary with The Tiled Barn 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 property in accordance with policy GEN7 of the Arun District Local Plan.
- 12 No part of the development shall be first occupied until visibility splays of 45 metres by 75 metres have been provided at the proposed site vehicular access onto Station Road in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.8 metre above adjoining carriageway level or as otherwise agreed.
- Reason: In the interests of road safety.
- 13 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the details hereby approved and the cycle stores shall be retained in perpetuity and used for the parking of cycles.
- Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.
- 14 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

- 15 No development shall be carried out until a Construction Management Plan has been submitted to and approved by the Local Planning Authority which shall include provision for the parking of construction vehicles within the site. The development shall proceed in accordance with the approved details.
- Reason: In the interests of road safety and to accord with approved policy in accordance with policy GEN7 of the Arun District Local Plan.
- 16 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls,(including flint work) and roofs of the proposed buildings 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 building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.
- 17 No development shall be carried out unless a 'statement of detail' is submitted to and approved by the Local Planning Authority setting out details of proposed windows and doors, details of the depth of recess/reveal from the brickwork, sills and lintels, brick bonding, brick detailing, eaves detailing and rainwater goods. The materials and 'statement of details' so approved shall be used in the construction of the buildings.
- Reason: To enable the Local Planning Authority to control the development in details in the interests of amenity by endeavouring to achieve buildings of visual quality in accordance with policy GEN7 of the Arun District Local Plan.
- 18 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.

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No work shall be carried out on the site unless and until an effective vehicle wheel-cleaning facility has been installed in accordance with details approved by the Local Planning Authority and such facility shall be retained in working order and operated throughout the period of work on the site to ensure that vehicles do not leave the site carrying earth and mud on their wheels in a quantity which causes a nuisance or hazard on the road system in the locality.

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

INFORMATIVE: The West Sussex County Council as Highway Authority would remind applicants that they may have to provide on the application site, areas for the parking and unloading of vehicles, temporary contractor buildings, plant and stacks of materials as the use of the adjacent public highway for these purposes may not be acceptable under the terms of the Highways Act. At no time are contractor or delivery vehicles to park on Station Road.

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.A

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 affordable housing.



Karl Roberts
Director Planning & Economic Regeneration

Case Officer: Mrs A Gardner

Date of Decision:

21 October 2015

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