

Mr S Davis
Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

Dandara Southern Limited
Roman House
South Hampshire Industrial Park
Edlystone Road, Totton
Southampton SO40 3SA

13th July 2021

Dear Simon,

Stakers Farm, North End Road, Yapton, BN18 0DU

Proposals to vary condition 7 under Section 73 of the T&CPA 1990 (as amended by the Planning and Compulsory Purchase Act 2004):

The application is submitted to seek to amend Condition 7 of planning permission Y/44/17/OUT. The condition as currently written stipulates:

Development shall not commence until a drainage strategy detailing the proposed means of foul disposal and a implementation timetable, has been submitted to and approved in writing by, the Local Planning Authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme and timetable.

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul sewerage in accordance with policies W DM1 and W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because it would not be possible to implement a foul drainage scheme once development had been completed.

Dandara seek to amend the condition to allow the legal right to connect to be sensibly managed prior to occupation of the development. Suggested wording for an amended condition would read;

Development shall not commence until a drainage strategy detailing the proposed means of foul disposal has been submitted to and improved in writing by the Local Planning Authority in consultation with the sewerage undertaker. Prior to occupation of the development a implementation timetable is to be submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme and timetable.

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul sewerage in accordance with policies W DM1 and W DM3 of the Arun Local Plan and to align with the delivery of any sewage network reinforcement required to ensure that adequate waste water network capacity is available to adequately drain the development. It is considered necessary for this to be a

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pre-commencement condition because it would not be possible to implement a foul drainage scheme once development had been completed.

Or words to that effect.

Southern Water's Briefing Note for LPAs on Infrastructure Provision is enclosed for ease of reference. The note clarifies the company's legal obligations under Section 94 of the Water Industry Act 1991 to provide developers with the right to connect to a public sewer. The use of planning conditions is suggested as the appropriate means of ensuring that occupation of a development is aligned with the delivery of any necessary network capacity reinforcement required.

Article 4C of the General Development Procedure Order provides exemption from the need to provide a Planning Design and Access Statement and instead this letter provides sufficient information to identify the relevant condition and planning justification for their variation.

Relevant Planning History

Y/44/17/OUT; Outline Planning Application for 70 No. residential dwellings including 30% affordable, public open space & associated landscaping. All matters to be reserved apart from Access. Approved 2018

Y/72/20/RES; Approval of reserved matters following outline approval Y/44/17/OUT for the erection of 70. No. dwellings, public open space, play area, drainage & landscaping. Approved 2021.

Y/58/21/DOC; Approval of details reserved by condition imposed under Y/44/17/OUT relating to condition 7 – foul drainage strategy. Refused 2021.

We trust this application to amend the condition can be granted approval and looking forward to hearing from you.

Yours Sincerely

Kate Little BA (Hons) PGDipTP MRTPI
Regional Planning Manager

