

DECISION NOTICE

Application Ref: Y/146/20/RES

1 To Addressee

Redrow Homes
Redrow House
Unit 1, Faraday Office Park
Rankine Road
Basingstoke
RG24 8QB

2 Site Address

Land at Street Buildings
North End Road
Yapton
BN18 0DT

3 Description of Development

Application for approval of reserved matters for the erection of 45 dwellings pursuant to Section 73 permission Y/13/18/PL (following the grant of outline planning permission Y/49/17/OUT) (resubmission following Y/39/20/RES). This application may affect the setting of a Listed Building.

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 approved shall be carried out in accordance with the following approved plans:

A856_23 - Site Location Plan;
A856_13 Rev H - Enclosures Plan;
A856_14 Rev I - Materials Plan;
A856_015 Rev I Occupancy Plan;
A856_16 Rev H - Massing Plan;
A856_17 Rev H - Affordable Housing Plan;
A856_18 Rev H - External Surfaces Plan;
A856_19 Rev H - Parking Plan;
A856_20 Rev H - Refuse Plan;
A856_22 Rev H - Street Scenes A-C;
A856_73E - Coloured Site Layout;

A856_63E - Site Layout;
 25 EF_LETC_SM.5 Rev A Letchworth Special Heritage Collection F Series Floor Plans
 27 EF_LETC_SM.5 Rev A Letchworth Special Heritage Collection F Series Elevations
 28 EF_WARWQ_DM Rev A Warwick Special Heritage Collection F Series Floor Plans & Elevations
 29 EF_AMBY_DM.8 Rev A Amberley Heritage Collection F Series Floor Plans & Elevations
 30 EF_STRAQ_DM.1 Rev A Stratford Lifestyle Heritage Collection F Series Floor Plans & Elevations
 31 EF_STRAQ_DM.1 Rev A Stratford Lifestyle Heritage Collection F Series Floor Plans & Elevations
 32 EF_OXFOQ_DM.3 Rev A Oxford Lifestyle Heritage Collection F Series Floor Plans & Elevations
 34 EF_HENL_DM.6 Rev A Henley Heritage Collection F Series Floor Plans
 35 EF_HENL_DM.6 Rev A Henley Heritage Collection F Series Elevations
 074 Dart-Leaddon Floor Plans;
 075 Dart-Leaddon Elevations;
 076 Dart-Leaddon Elevations;
 077 Rev A Tavy-Leaddon Floor Plans;
 078 Rev A Tavy-Leaddon Elevations;
 079 Rev A Tavy-Leaddon Elevations;
 080 Rev A Tavy-Leaddon Floor Plans;
 081 Rev A Tavy-Leaddon Elevations;
 86 Timber Bin Store Plots 10-19 Floor Plans;
 87 Timber Bin Store Plots 10-19 Elevations & Sections;
 88 Timber Bin Store Plots 26-29 Floor Plans;
 89 Timber Bin Store Plots 26-29 Elevations & Sections;
 D2831 FAB 1 GL DR L 0100 PL06 - Coloured Landscape Plan;
 D2832 FAB 00 XX DR L 503 PL05 - Detailed Plan Provision - LAP;
 D2832 FAB 00 XX SP L 001 PL05 - Landscape Maintenance and Management Specification;
 D2832 FAB 1 GL DR L 0301 PL06 - Detailed Planting Plan Sheet 1 of 2;
 D2832 FAB 1 GL DR L 0302 PL06 - Detailed Planting Plan Sheet 2 of 2;
 D2832 FAB 1 GL DR L 0303 PL06 - Planting Schedule and Maintenance Specification;
 D2832 FAB 1 GL DR L 0501 PL06 - Boundary Treatment Plan Sheet 1 of 2;
 D2832 FAB 1 GL DR L 0502 PL06 - Boundary Treatment Plan Sheet 2 of 2;
 D2832 FAB 1 GL DR L 601 PL06 - Tree Setting Out Plan Sheet 1 of 2;
 D2832 FAB 1 GL DR L 602 PL06 - Tree Setting Out Plan Sheet 2 of 2;
 18-343-100 Rev D - Refuse Vehicle Tracking;
 18-343-102 Rev E - Fire Tender Vehicle Tracking;
 18-343-103 Rev C - Tanker Vehicle Tracking;
 18-343-104 Rev D - General Arrangement Plan; and
 S2832 FAB 00 XX SP L 001 Landscape Maintenance & Management Specification.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1, D SP1, HER DM1, HER DM2, QE SP1 and T SP1 of the Arun Local Plan.

- 2 All trees and hedgerows to be retained within the site shall be protected in accordance with the Detailed Planting Plans (drawings 0301 PL06 & 0302 PL06) and the "Landscape Maintenance & Management Specification" ref 001. Any tree pruning considered essential to enable the agreed development must meet the requirements of BS3998:2010 Tree work - Recommendations:

- Where whole branches are to be removed and final cuts made close to the trunk or branch union they are to be made as shown in Figure 2 of BS3998:2010

- Where branches are to be shortened back the final cuts are to be made at the correct angle shown in BS3998:2010 and adjacent to a live bud or lateral.

Reason: To comply with BS5837 and Arun Local Plan policy ENV DM4 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.

- 3 No development above damp proof course (DPC) level shall take place until full details of the proposed in-curtilage cycle storage spaces for the houses and maisonettes have been submitted to and approved by the Local Planning Authority and none of the houses/maisonettes shall be occupied until the approved cycle storage sheds/garages storage racks etc associated with them have been erected/provided. These cycle storage spaces shall thereafter be permanently retained and maintained.

Reason: To provide alternative travel options to the use of the car in accordance with Arun Local Plan policies T SP1 and T DM1.

- 4 No development above damp proof course (DPC) level shall take place until full elevation and floor plan details of the proposed detached garages have been submitted to and approved by the Local Planning Authority and none of the dwellings that have single garages shall be occupied until these approved garages have been implemented.

Reason: In accordance with Arun Local Plan policy T SP1 and because no garage plans have been provided despite being shown on the layout.

- 5 No development above damp proof course (DPC) level shall take place unless and until full details (materials/appearance) of any required works to the flint wall along the North End Road frontage have been submitted to and approved in writing by the Local Planning Authority. Any such approved changes to the wall shall then be completed in accordance with the approved details prior to occupation of any of the approved houses.

Reason: It is unclear at this time whether the wall will be retained in its entirety or whether it may need to rebuilt/extended. The retention of the wall is a positive feature of the proposal and the local area/streetscene so it is vital that any works to it are sympathetic. In accordance with policies HER SP1 & HER DM1 of the Arun Local Plan.

- 6 The footpath link shown between plots 40 & 41 on the approved drawings shall be laid out in accordance with the approved details and safeguarded to enable a future connection into the adjacent Clays Farm site. At such time as the developer of the adjacent site has begun to lay out their footpath then the developers of both that site and this shall work together to ensure that the corresponding pathways seamlessly link together to facilitate access between the two sites. The pathway shall thereafter be permanently retained and maintained in good condition.

Reason: To provide a footpath connection from the site into committed development on adjacent land in the interests of sustainable transport in accordance with Arun Local Plan policies T SP1 & T DM1 and with section 9 of the NPPF.

- 7 No external lighting shall be installed on any of the buildings unless and 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 seek to conform with the recommendations within BS5489:1-2013 but also minimise potential impacts to any bats using the surrounding 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 amenities of the area, the site biodiversity (particularly in respect of bats), the interests of minimising crime and to minimise unnecessary light spillage outside the development site in accordance with policies QE SP1, QE DM2 & ENV DM5 of the Arun Local Plan.

- 8 No construction / demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no works taking place on Sunday or Bank Holidays.

Reason: To protect the amenity of local residents in accordance with policies QE SP1 and QE DM1 of the Arun Local Plan

- 9 The car parking spaces hereby approved shall not be used for any purpose other than for the parking of vehicles and the garages shall not be used for any purpose other than the parking of vehicles and for domestic storage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: In the interests of ensuring sufficient vehicle parking and highway safety within the development in accordance with policy T SP1 of the Arun Local Plan.

- 10 All bathroom and toilet windows in the elevations of any of the buildings hereby approved shall be glazed with obscured glass and permanently retained so thereafter.

Reason: To protect the amenities and privacy of existing and future occupiers in accordance with policies D DM1 and QE SP1 of the Arun Local Plan.

- 11 No windows (other than those shown on the plans hereby approved) shall be constructed in the flank elevations of any of the dwellings hereby approved without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of existing and future occupiers in accordance with policies D DM1 and QE SP1 of the Arun Local Plan.

- 12 Notwithstanding the provisions of Parts 1 & 20 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (as amended) (or any Order revoking or re-enacting this Order) no front or flank dormer/roof extensions/alterations to the buildings associated with plots 23-31 shall be constructed unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: In the interests of heritage due to the presence of heritage assets along the North End Road frontage in accordance with policies HER SP1, HER DM1 & HER DM2 of the Arun Local Plan. Rear roof alterations/dormers are unaffected.

- 13 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 rear extensions to plots 18, 19, 26 & 27 shall be constructed or buildings shall be erected within the curtilage of the same plots unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To maintain adequate private amenity space in accordance with policy D DM1 of the Arun Local Plan and the Arun Design Guide.

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: In the interests of crime prevention and deterrence, the development should incorporate security measures in accordance with the consultation advice of Sussex Police (dated 06/01/21) as available on the Councils website.

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.

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 the New Connections Services Charging Arrangements documents which is available to read on the SW website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.

INFORMATIVE: The applicant should note that this layout has been approved without sufficient site investigations to determine whether infiltration of surface water runoff is viable and therefore if it subsequently becomes clear that the drainage conditions cannot be agreed due to the layout not providing sufficient space for drainage then a new Reserved Matters application will need to be submitted as the Local Planning Authority will not be able to agree such changes through the Non Material Amendment process.



Neil Crowther
Group Head of Planning

Case Officer: Mr S Davis

Decision Issued: 18th March 2021

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 6 months 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.

If you intend to submit an appeal that you would like examined by inquiry then you must send notice to the Local Planning Authority and Planning Inspectorate(inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details can be found at www.GOV.uk

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).