Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)
Application for Planning Permission
DECISION NOTICE

Application Ref: Y/48/13/

1 **To Addressee**

Mr Pellen
AAP Architecture Ltd
Unit A Monument Business Centre
Woking
Surrey
GU21 5LY

2 **Site Address**

Land to the rear of Burndell Road
Yapton
BN18 OHR

3 **Description of Development**

Substitution of plots 1-3, 26-28, 35-43, 54,55,57,58,70-99,129-135,141-149,151-163,166, 167,169-173 following a grant of planning permission Y/81/10.

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.

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 P1004/LOC/1
Planning Layout P1004/01

Type 662 Plans & Elevations P1004.662.01
Type 868 Plans & Elevations (Brick) P1004.868.01
Type 868 Plans & Elevations (Timber) P1004.868.02
Type 868 (Plot 75) Plans & Elevations (Timber) P1004.868S.01
Type 982 Plans P1004.982.01
Type 982 Elevations (Brick) P1004.982.02
Type 982 Elevations (Timber) P1004.982.03
Type 982 Elevations (Stone) P1004.982.04
Type 987 Plans & Elevations (Brick) P1004.987.01
Type 987 Plans & Elevations (Timber) P1004.987.02
Type 987S Plans & Elevations P1004.987S.01
Type 1216 Plans P1004.1216.01
Type 1216 Elevations (Brick) P1004.1216.02
Type 1216 Elevations (Timber) P1004.1216.03
Type 1292 Plans P1004.1292.01
Type 1292 Elevations (Brick) P1004.1292.02
Type 1292 Elevations (Timber) P1004.1292.03
Type 1292S Plans P1004.1292S.01
Type 1292 Elevations (Brick) P1004.1292S.02
Type 1292 Elevations (Timber) P1004 1292.03
Type 1443 Plans P1004.1443.01
Type 1443 Elevations P1004.1443.02
Type 1779 Plans P1004.1779.01
Type 1779 Elevations P1004.1779.02

Street Scenes Sheet 1 P1004/SS/01
Street Scenes Sheet 2 P1004/SS/02

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

3 No development shall be carried out unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority. A 'statement of detail' shall be submitted 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.

4 No development shall take place until such time that fully detailed proposals for the Surface Water Drainage Scheme have been submitted to and approved in writing by the Local Planning Authority. The design shall follow the hierarchy of preference for different types of surface water drainage systems disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SUDS Manual produced by CIRIA.

Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location of the proposed structures. The percolation tests and design shall be carried out in accordance with BRE 365 and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway and the highest recorded groundwater table. The Scheme shall have provision to ensure that there is capacity in the system to contain below the lowest ground level the 1 in 100 year event plus 30% on stored volumes. Adequate freeboard shall be provided between the base of the soakage structure and the highest recorded ground water level identified in that location.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

5 Details of the maintenance and management of the SUDS system shall be set out in writing in a Site Specific Maintenance Manual. This Manual shall include details of the implementation of the system, financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended life span. The Manual shall be submitted to and approved in writing by the Local Planning Authority before development commences on site. Maintenance and management shall be carried out in accordance with the approval manual

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

6 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approval details.

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

7 No development shall take place until a detailed Scheme of Highway Works has been submitted to and approved in writing by the Local Planning Authority. The works shall comprise a staggered junction ahead sign to Diagram Number 507.1 of the Traffic Signs Regulations and General Directions 2002 (TSRGD) on the westbound approach to the A27 junction with Yapton Lane. The sign shall have a height of 1.20 metres, be erected between 245 and 305 metres in advance of the hazard, have clear visibility of 105 metres and be supported on a yellow backing board. In addition, at the end of the A27 right turn lane into Yapton Lane, the priority arrangement shall be highlighted by the provision of additional "Give Way" signs and road markings to Diagram Number 602 and 1023 of the TSRGD.

No dwelling shall be occupied until the Scheme approved by the Local Planning Authority has been completed in full.

Reason: In the interests of Highway Safety.

8 No dwelling shall be occupied until plans and details for the improvement of the existing public rights of way have been submitted to and approved in writing by the Local Planning Authority. These improvements shall take the form of signing of the legal routes, the provision of dropped crossing points across the proposed internal roads and the provision of surfacing improvements in accordance with a specification to be submitted to and approved in writing by the Local Planning Authority. The approved works shall be implemented in full by the time of the occupation of the 150th dwelling unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the rights of the public.

9 No dwelling shall be occupied until the roads serving the respective dwellings have been constructed, surfaced and drained in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of Highway Safety.

10 No dwelling shall be occupied until the car parking spaces relating to the respective dwelling have been constructed in accordance with the approved plans and details. These spaces shall thereafter be retained at all times for car parking associated with the dwelling.

Reason: To ensure a satisfactory standard of provision in accordance with policies GEN7 & GEN12 of the Arun District Local Plan.

11 No dwelling shall be occupied until covered secure cycle parking spaces relating to the respective dwelling have been provided in accordance with a detailed construction plan which shall have been submitted to and approved in writing by the Planning Authority.

Reason: To ensure a satisfactory standard of provision in accordance with policy GEN7 of the Arun District Local Plan.

12 No development shall take place on the site until an effective vehicle wheel cleaning facility has been installed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Such facility shall be retained in working order throughout the period of work on site.

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

13 No development shall take place until such time as a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include details relating to the number of vehicles movements, routing and management of construction traffic, which shall include matters relating to temporary construction access and signage. The CMP shall also include details as appropriate for each stage of development of all temporary contractors' buildings, plant and stacks of materials as well as provision for the temporary parking of vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision shall be retained for these purposes throughout and until the completion of each stage of work on the site.

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

14 No dwelling shall be occupied until such time as details of the emergency access point to Fordwater Gardens and the timing of provision have been submitted to and approved in writing by the Local Planning Authority. 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. 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 road safety in accordance with policy GEN7 of the Arun District Local Plan.

15 No development shall take place until the following details of mitigation measures, identified within the Ecological Appraisal report from Hyder dated June 2010 Report No. WX82162/C1162/AW/YAPTON/v1, have been submitted to and approved in writing by the Local Planning Authority together with a programme for the implementation of the measures:

i. mitigation and relocation of any reptiles;
ii. eradication/control of Japanese Knotweed;
iii. lighting strategy in relation to bats;
iv. provision and location of suitable bat and bird boxes for use in gardens and/or in public open space areas; and
v. a Construction Phase Management Plan.

Any works to manage or clear vegetation must be undertaken outside of the bird nesting season. The mitigation measures shall be carried out in accordance with the approved details and programme.

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy in accordance with Arun District Local Plan policies GEN7, GEN29.

16 Prior to the commencement of development (or such other date or stage in development as may be agreed in writing by the Local Planning Authority), a Remediation Strategy with the following components to deal with the risks associated with contamination of the site shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall be implemented by deadlines identified within the approved strategy.

1. A Preliminary Risk Assessment which has identified all previous uses and potential contaminants associated with those uses.

2. A conceptual model of the site indicating sources, pathways and receptors as well as potentially unacceptable risks arising from contamination at the site.

3. A Site Investigation Scheme, based on 1, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

4. The Site Investigation Results and the detailed Risk Assessment 3 and, based on these, an Options Appraisal and Remediation Strategy giving full details of the remediation measures required and how they are to be undertaken.

5. A Verification Plan providing details of the data that will be collected in order to demonstrate that the works set out in 4 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components shall require the express approval in writing of the Local Planning Authority.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with policy GEN7 of the Arun District Local Plan.

17 A Verification Report demonstrating completion of the works set out in the Approved Remediation Strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority prior to any development works in the areas where the need for remediation has been identified. The report shall include results of sampling and monitoring carried out in accordance with the Approved Verification Plan, and for the reporting of this to the Local Planning Authority.

Reason: In the interests of protection of the environment and prevention of harm to human health in accordance with policy GEN7 of the Arun District Local Plan.

18 No development shall take place until details of Foul Water Drainage System have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the foul drainage works have been carried out in accordance with the agreed details.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.

19 The developer shall afford access at all reasonable times to any Archaeologist nominated by the Local Planning Authority and shall allow the Archaeologist to observe the excavations and record of items of interest and finds.

Reason: To enable items of archaeological interest to be recorded in accordance with the National Planning Policy Framework.

Case Officer: Mr P Cleveland

Date of Decision: **15 October 2013**

Karl Roberts
Assistant 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

NOTES RELATING TO PLANNING APPLICATION
TOWN AND COUNTRY PLANNING ACT 1990
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 First 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 your local planning authority's decision on your application, 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 your local planning authority's decision on your application, 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.

For all other cases, if you want to appeal, then you must do so within 6 months of the date of this notice using a form which you can get from the Secretary of State at the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or on line at www.planningportal.gov.uk/pcs

If this decision is a refusal relating to a minor commercial development, where the application was made on or after 1 October 2013, please note that you must appeal within 12 weeks of the date of this notice. For a definition of minor commercial development please refer to The Town and Country Planning (Appeals) (Written Representations Procedure and Advertisements) (England) (Amendment) Regulations 2013 or contact this office for clarification.

The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

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).