



**Town & Country Planning Act 1990 (as amended)
Town & country Planning (Development Management
Procedure) (England) Order 2015 - Article 5**

Application for Outline Consent

DECISION NOTICE

Application Ref: Y/49/17/OUT

1 To Addressee

Phoenix Planning Consultancy
Forum House
Stirling Road
Chichester
West Sussex
PO19 7DN

2 Site Address

Land at Street Buildings
North End Road

BN18 0DT

3 Description of Development

Outline application with some matters reserved for the demolition of all existing structures & redevelopment of the site with up to 45 dwellings (30% affordable (up to 14)) & 0.3 hectares of landscaped open space with vehicular access from Maypole Lane & pedestrian/cycle access only from North End Road. This application is a Departure from the Development Plan & may affect the setting of a listed building.

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 following conditions and Section 106 Agreement.

- 1 Details of appearance, landscaping, layout, and scale, (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the local planning authority (LPA) before any development begins and the development shall be carried out as approved.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 2 Application for approval of the reserved matters shall be made to the LPA before the expiration of three years from the date of this permission. The development hereby permitted shall begin before the expiration of one year from the date of approval of the last of the reserved matters to be approved.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 3 This permission relates to the following submitted plans:

- Location Plan
- Indicative Proposed Block Plan Drg: PPC 2
- Access arrangement Plan Drg: 160602 - 05

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.

- 4 The layout details submitted pursuant to Condition 1 shall accord with the Indicative Proposed Block Plan Drg: PPC 2 and shall include:

- i) 1.4 hectares (ha) of residential development comprising up to 45 dwellings on Area A and
- ii) 0.31 hectares (ha) of landscaped open space on Area B which shall include a minimum 100 sq m area designated as a Local Area of Play (LAP).

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.

- 5 The landscaping details submitted pursuant to Condition 1 shall include:
- i) a plan showing the existing trees to be retained, together with details of measures for their protection during the course of development;
 - ii) the species, number, sizes and position of new trees, shrubs and hedging to be planted and details of any grassed or other planted areas (other than private gardens), including seeding with an appropriate native British wildflower flora mix;
 - iii) Details of defined boundaries, means of enclosure, proposed use and items of equipment, proposed lighting and other structures to be installed on the landscaped open space, amenity areas (other than private gardens) and the LAP
 - iv) a landscape management plan detailing a programme for the implementation, long term management and maintenance of all landscaped amenity areas (other than private gardens), the 0.31 hectares of landscaped open space and the LAP.

No dwellings shall be occupied unless and until the landscaping has been implemented in accordance with the approved details and any trees, shrubs or hedging plants which, within a period of five years from the date of planting, 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 otherwise approved in writing by the LPA.

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

- 6 The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the LPA. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2: Glossary of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:
- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 30% of the total number of dwellings approved at reserved matters stage of which 75% shall be social rented and 25% intermediate housing;
 - ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
 - iii) the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing (if no Registered Social Landlord is involved);
 - iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
- The affordable housing shall be retained in accordance with the approved scheme.

Reason: To enable the LPA to control the provision of affordable housing on the site in accordance with Policy GEN7 of the Arun District Local Plan.

- 7 No development shall commence until detailed design and construction drawings for the means of access/egress onto Maypole Lane as shown on Access arrangement Plan Drg: 160602 - 05 including passing places in Maypole Lane between the access/egress and its junction with North End Road have been submitted to and approved by the LPA and no dwelling shall be occupied until this access/egress has been constructed in accordance with the approved detailed design and construction drawings.

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

- 8 No development shall commence until detailed design and construction drawings for the means of access/egress onto North End Road as shown on Access arrangement Plan Drg: 160602 - 05 have been submitted to and approved by the LPA and no dwelling shall be occupied until this access/egress has been constructed in accordance with the approved detailed design and construction drawings.

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

- 9 No development hereby permitted shall take place until a detailed scheme of highway works for improvement to the A27/Yapton Lane junction has been submitted to and approved in writing by the Local Planning Authority in consultation with Highways England. No more than 23 dwellings of the development hereby permitted shall be occupied until the completion of the approved improvements to the A27 junction with Yapton Lane.

Reason: To ensure that the A27 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety, in accordance with Policy GEN7 of the Arun District Local Plan.

- 10 No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the LPA. The Statement shall provide for (but not necessarily be limited to):
- i) Vehicle parking for site operatives and visitors, and on-site turning space;
 - ii) Loading and unloading of plant and materials;
 - iii) Storage of construction plant and materials;
 - iv) Erection and maintenance of security hoarding, including decorative displays and facilities for public viewing as appropriate;
 - v) Wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during construction;
 - vii) The location of any site huts/cabins/offices;
 - viii) Routeing of construction vehicles to and from the development site;
 - ix) Details of any temporary traffic management works required to construct any of the works;
 - x) Details of signage on the approaches to the site warning of the presence of construction vehicles and associated activities on or close to the public highway;
 - xi) Details of the Construction Design Management Co-ordinator and site foreman, including contact details (and out-of-hours contact details);
 - xii) Evidence of community involvement and/or public consultation prior to any works being carried out; and
 - xiii) Details of the hours of operation of all operational and construction vehicles on the site.

Details of how measures will be put in place to address any environmental problems arising from any of the above shall be provided. A named person shall be appointed to deal with complaints and shall be available on site and their availability made known to all relevant parties. The Statement as approved shall be adhered to at all times throughout the construction period.

Reason: In the interests of highway safety and the amenities of the area, in accordance with Policy GEN7 of the Arun District Local Plan.

- 11 No development shall take place until a programme of archaeological work has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved by the LPA.

Reason: The site is of archaeological significance in accordance with Policy GEN7 of the Arun District Local Plan. It is considered necessary for this to be a pre-commencement condition because archaeology can only be investigated before construction commences.

- 12 No development shall take place until details of the implementation, maintenance and management of a sustainable drainage scheme have been submitted to and approved in writing by the LPA. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
- i) a timetable for the scheme's implementation; and
 - ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for the adoption by any public body or statutory undertaker, or any other Arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

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

- 13 Construction of the development shall not commence until details of the proposed means of foul water sewerage have been submitted to and approved in writing by the LPA. No dwelling shall be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved 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. It is considered necessary for this to be a pre-commencement condition to ensure foul and surface water sewerage disposal is in place before construction commences.

- 14 No development shall commence until details the measures to avoid or mitigate ecological impacts and provide ecological enhancements as recommended in the Extended Phase 1 Habitat Survey prepared by Corylus Ecology and submitted with the planning application have been submitted to and approved by the LPA and no dwelling shall be occupied until the approved measures have been undertaken.

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 guidance and Policy GEN23 and GEN29 of the Arun District Local Plan. It is considered necessary for this to be a pre-commencement condition because of the need to ensure measures are in place to protect wildlife and habitats on site prior to any disturbance.

- 15 The details referred to in condition 1 shall include details of the materials and external finishes of the buildings, surfaces for roads/footpaths, means of enclosure and the parking of vehicles, and the provision of samples of such materials and finishes as required. Development shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority.

Reason: To enable to the Local Planning Authority to control the development in detail in the interests of amenity in accordance with Policy GEN7 of the Arun District Local Plan.

- 16 Prior to the commencement of the development hereby approved, a detailed level survey of the site including existing and resulting ground levels and the slab levels of the building the subject of this approval, shall be submitted to and approved by the Local Planning Authority. The development shall proceed only in accordance with the details thus approved and there shall be no subsequent raising of levels without prior written approval of the Local Planning Authority.

Reason: In order to safeguard the amenities of the area and neighbouring residents in accordance with policy GEN7 of the Arun District Local Plan.

- 17 No dwelling shall be occupied until refuse and recycling bins have been provided and space has been laid out for their storage in relation to that dwelling in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter these areas shall not be used for any purpose other than the storage of refuse and recycling bins.

Reason: In the interests of the amenity of occupiers of nearby properties in accordance with Arun District Local Plan Policy GEN7 and DEV26.

- 18 There is a requirement that 25% of 1, 2 and 3 bed dwellings included as part of the development must be delivered to Lifetime Home standards.

Reason: To ensure that part of the development allows for residents to remain in their own homes over the course of their lifetime in accordance with Policy H3 of the Yapton Neighbourhood Plan.

- 19 There is a requirement that the proposed reserved matters submission conform to the following range of dwellings: 1-bed dwellings: 10-15% of all dwellings; 2-bed dwellings: 25-35% of all dwellings; 3-bed dwellings: 45-55% of all dwellings; and 4+-bed dwellings: 5-10% of all dwellings.

Reason: In accordance with Policy H2 of the Yapton Neighbourhood Plan in the interests of ensuring homes are provided to meet local demand.

- 20 No dwelling shall be occupied until space for that dwelling has been laid out for the parking of cars, motorbikes and cycles in relation to that dwelling in accordance with a drawing and schedule to be submitted to and approved in writing by the Local Planning Authority. These areas shall thereafter not be used for any purpose other than the parking of cars, motorcycles and cycles.

Reason: In the interests of road safety and to accord with approved policy in accordance with Policy GEN7 of the Arun District Local Plan.

- 21 No development hereby permitted shall be commenced until a scheme for the location and installation of fire hydrants has been submitted to and approved in writing by the Local Planning Authority. For the purposes of this condition the scheme shall be in accordance with the Guidance Note: The Provision of Fire Hydrants and an Adequate Water Supply for Fire Fighting as published by West Sussex Fire and Rescue Services (as amended from time to time). No building hereby permitted shall be occupied until the fire hydrant(s) required to serve that building have been installed in accordance with the approved scheme.

Reason: In order to provide adequate infrastructure for emergency services, in accordance with Policy GEN7 of the Arun District Local Plan. It is considered necessary for this to be a pre-commencement condition because of the need to ensure the safety of residents on the site.

- 22 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the National Planning Policy Framework, March 2012). Details and a timetable of how this is to be achieved for each phase or sub phase of development, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority before any development in that phase or sub phase begins. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to secure on site renewable energy in accordance with national planning policy, in accordance with Policy GEN7 of the Arun District Local Plan.

- 23 Prior to the commencement of development, a strategy for the provision of the highest available headline speed of broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall take into account the timetable for the delivery of 'superfast broadband' (defined as having a headline access speed of 24Mb or more) in the vicinity of the site (to the extent that such information is available). The strategy shall seek to ensure that upon occupation of a dwelling, the provision of the highest available headline speed of broadband service to that dwelling from a site-wide network is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site shall be carried out in accordance with the approved strategy.

Reason: To safeguard the amenities of residents in accordance with Policy 7 of the Arun District Local Plan. It is considered necessary for this to be a pre-commencement condition because the provision of broadband needs to be incorporated into the design for the site.

- 24 As part of the approval of the reserved matters application, the applicant shall include details of how the scheme will link with surrounding land. The links shown shall then be provided prior to completion of the development and retained in perpetuity.

Reason: To promote sustainable development by encouraging walking and cycling in accordance with policy GEN7 of the Arun District Local Plan and the National Planning Policy Framework.

- 25 Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March - 1st October. If works are required within this time an ecologist will need to check the site before any works take place (with 24 hours of any work).

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

- 26 External lighting in association with the development should comply with Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light Limitations for Exterior Lighting Installations for Zone E2.

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

- 27 Prior to occupation of any of the dwellings, an electric vehicle charge point shall be installed to serve each dwelling and this shall then be permanently retained and maintained in working condition.

Reason: New petrol and diesel cars/vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with Policy GEN7 of the Arun District Local Plan, policy QE DM3 (c) of the Arun Local Plan 2011-2031 Publication Version showing Modifications and the National Planning Policy Framework.

INFORMATIVE: Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

INFORMATIVE: Land uses such as general hardstanding that may be subject to oil/petrol spillages should be drained by means of oil trap gullies or petrol / oil interceptors.

INFORMATIVE: Due to surface water inundation issues in the Lidsey Catchment the applicant is advised to adopt, where appropriate, the measures in the table "Practical measures to reduce the potential impact of development". The applicant should look to protect the public sewerage system from inundation and infiltration, which contribute to flooding in unfavourable conditions.

INFORMATIVE: The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the

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 public highway (including the placing of skips on highway land).

highway prior to the agreement being in place.

INFORMATIVE: The applicant is advised to enter into a Section 59 Agreement under the 1980 Highways Act, to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The Applicant is advised to contact the Highway Officer (01243 642105) in order to commence this process.

INFORMATIVE: This development involves work to the public highway (strategic road network) that can only be undertaken within the scope of a legal Agreement or Agreements between the applicant and Highways England (as the strategic highway company appointed by the Secretary of State for Transport). Planning permission in itself does not permit these works.

It is the applicant's responsibility to ensure that before commencement of any works to the public highway, any necessary Agreements under the Highways Act 1980 are also obtained (and at no cost to Highways England). Works to the highway will normally require an agreement or agreements, under Section 278 of the Highways Act, with Highways England.

Advice on this matter with regards the strategic road network can be obtained from the Spatial Planning Team, Highways England, Bridge House, Walnut Tree Close, Guildford, Surrey, GU1 4LZ. Email: planningse@highwaysengland.co.uk Tel. 0300 123 5000.



Neil Crowther
Group Head of Planning

Case Officer: Michael Eastham

Date of Decision:

15 February 2018

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