



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/1/17/OUT

1 To Addressee

Luken Beck Ltd
 30 Carlton Crescent
 Southampton

SO15 2EW

2 Site Address

Bonhams Field
 Main Road

BN18 0DX

3 Description of Development

Outline Application with some matters reserved for the erection of 56 No. dwellings with associated open space and creation of new access. This application is a Departure from the Development plan & affects the character & appearance of the Yapton (Main Road) Conservator Area.

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 The permission hereby granted is an outline permission under s92 of the Town and Country Planning Act 1990 (as amended) and an application for the approval of the Local Planning Authority to the following matters must be made not later than the expiration of 2 years beginning with the date of this permission:-

- (a) Layout;
- (b) Scale;
- (c) Appearance; and
- (d) Landscaping.

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 The development hereby permitted shall begin not later than one year from the date of approval of the first 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 The development hereby approved shall be carried out in accordance with the following approved details:
- SK04 Rev C (Site Location Plan); and
01 Rev D (Site Access Plan).
- 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 reserved matters to be submitted pursuant to Condition 1 shall be substantially in accordance with drawing number SK05 Rev B, and the Design and Access Statement dated December 2016.
- Reason: For the avoidance of doubt and in the interests of amenity, the environment and the setting of the Main Road Conservation Area in accordance with Policies GEN7 and GEN22 of the Arun District Local Plan.
- 5 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
- Reason: The site is of archaeological significance in accordance with Arun District Local Plan Policy GEN7.
- 6 The landscaping and layout particulars to be submitted in accordance with Condition 1 shall include:
- Details of all existing trees and hedgerows on the land, showing which are to be retained and which removed;
 - Details of the positions, height, design, materials and type of boundary treatment to be provided;
 - Details of any proposed alterations in existing ground levels and of the position of any proposed excavation, within the crown spread of any retained tree;
 - The detailed landscape design for the development including layout and design of the public realm within the development; and
 - Details of surfacing, lighting and signage of all footpaths, cycle routes and phasing plan for their provision.
- No hedge or tree shall be felled, uprooted or otherwise removed before, during or after the construction period except where removal is indicated on a plan approved by the Local Planning Authority.
- Reason: To protect and enhance the quality of the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 7 Prior to the commencement of development or any preparatory works, an Ecological Enhancement and Management Scheme shall be submitted to the Local Planning Authority for approval and is to be based on the recommendations within the supporting Ecological Assessment dated November 2016, as appropriate. All approved details shall then be implemented in full in accordance with the agreed timings and details.
- Reason: To protect and retain the biodiversity value of the site, in particular the perimeter hedgerows and trees before any works commence on site in accordance with policy GEN29 of the Arun District Local Plan.
- 8 Prior to the commencement of construction all tree protection measures and ground protection measures are to be inspected by Arun District Council's Arboricultural Officer to ensure that it is in accordance with the Tree Protection Measures set out by the Tree Protection Plan. A schedule of site monitoring/supervision visits and reporting procedures should be submitted and approved in writing ahead of any works commencing on site.
- If there is deemed to be a need for any utility service route connections to bisect retained tree Root Protection Areas/Zones then the Arboricultural Method Statement should set out how this would be achieved without adverse impact upon existing trees.
- Reason: To ensure the retention and maintenance of trees and vegetation, before any works commence on site, which is an important feature of the area in accordance with policy GEN7 of the Arun District Local Plan.
- 9 Landscaping (hard and soft) shall be carried out in accordance with the approved details. All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding seasons following the first occupation of each phase or sub-phase of the development hereby permitted or the completion of the development, whichever is sooner, and any trees or plants which, within a period of 5 years from the completion of the development or completion of the phase or sub-phase, 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: To protect and enhance the quality of the environment in accordance with policy GEN7 of the Arun District Local Plan.
- 10 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 Yapton Neighbourhood Plan.
- 11 The exact position of the surface water sewer must be determined on site by the applicant before the layout of the proposed development is finalised.
- Reason: To ensure that the public sewer and Southern Water infrastructure is protected in accordance with GEN7 and GEN9 of the Arun Local Plan.

- 12 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.
- Reason: To ensure that the proposed development is satisfactorily drained before construction begins on site in accordance with policies GEN7 and GEN9 of the Arun District Council Local Plan.
- 13 Immediately following implementation of the approved SuDS scheme and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. There shall be no deviation to the approved scheme other than with the written consent of the Local Planning Authority. The scheme shall thereafter be maintained 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.
- 14 Development shall not commence until full details of the maintenance and management of the SuDS system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include (a) details of financial management of the site including arrangements made in the event that the management company (or any subsequent management company) is no longer able to fulfil its duties; and (b) arrangements for the replacement of major components at the end of the manufacturers recommended design life.
- Reason: To ensure that the efficient maintenance and on-going operation of the SuDS system is incorporated at the earliest stages of the development and to ensure the best practice in line with guidance set out in 'The SuDS Manual' CIRIA publication ref: C753 Chapter 32.

- 15 Upon completed construction of the SuDS System but prior to occupation of any part of the scheme, the owner or management company shall either provide the local planning authority with an updated copy of the management manual incorporating any changes as a result of construction/implementation or confirm in writing that no changes are required to the manual.
- No further changes shall be made to the approved SuDS Maintenance & Management Plan/Regime including the management company responsible or the financial arrangements between the owners of the dwellings & the management company other than with the written consent of the Local Planning Authority.
- The owner or management company shall thereafter strictly adhere to and implement the recommendations contained within the manual to ensure that the system is maintained in perpetuity.
- Reason: To ensure the efficient maintenance and on-going operation of the SuDS system and to ensure the best practice in line with guidance set out in 'The SuDS Manual' CIRIA publication ref: C753 Chapter 32.
- 16 Development shall not commence until a drainage strategy detailing the proposed means of foul disposal and an 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 adequate foul drainage capacity exists, or appropriate drainage capacity can be provided as part of the development and provided at the earliest stages of the development in accordance with policy GEN9 of the Arun District Local Plan.
- 17 Prior to the commencement of development or any preparatory works, a Soil Resources Plan shall be submitted to the Local Planning Authority for approval and is to be based on the supporting Agricultural Assessment dated September 2016, as appropriate. The Soil Resources Plan shall demonstrate measures to be taken to ensure that a community orchard will be provided on-site and comprise an area that is substantially in accordance with the 'Community Orchard Public Open Space and Green Buffer to Heritage Assets' as shown on the indicative 'Sketch Layout' drawing number SK02 Rev
- All approved details shall then be implemented in full in accordance with the agreed timings and details.
- Reason: To protect and retain the value of the site's soil and to ensure that it is utilised in the proposed orchard area in accordance with emerging policy SO DM1 of the Arun District Local Plan.
- 18 No part of the development shall be first occupied until such a time as the vehicular access has been constructed in accordance with the approved plan 01 Rev D (Site Access Plan) and details set out in the transport Assessment dated December 2016.
- Reason: In the interests of road safety and to accord with approved policy in accordance with policy GEN7 of the Arun District Local Plan.

- 19 The development hereby permitted shall not be occupied until visibility splays of 2.4m by 54m to the north and 2.4m by 53m to the south have been provided at the proposed site vehicular access onto Main Road. In accordance with approved plan 01 Rev D (Site Access Plan). Once provided, the visibility splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6m above adjoining carriageway level or as otherwise agreed.

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

- 20 No development shall take place, including works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local planning Authority. thereafter the approved plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- the anticipated number, frequency and types of vehicles used during construction;
- the method of access and routeing of vehicles during construction;
- the parking of vehicles by site operatives and visitors;
- the loading and unloading of plant, materials and waste;
- the storage of plant and materials used in construction of the development;
- the erection and maintenance of security hoarding;
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including provision of temporary Traffic Regulation Orders);
- measures to control the emission of dust and dirt during demolition and construction, lighting for construction and security; and
- details of public engagement both prior to and during construction works.

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

- 21 Prior to the occupation of the first property of the development hereby permitted, a Green Travel Plan describing the means by which residents of the development shall be encouraged to travel to and from the site by means other than the private car, shall be submitted to and approved in writing by the Local Planning Authority. The approved Green Travel Plan shall be implemented from occupation of the first dwelling within the development and thereafter complied with unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure sustainable modes of travel are encouraged at the earliest stage and to enhance the quality of the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 22 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

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 Arun District Plan policy GEN7.

- 23 Prior to the commencement of development or any preparatory works, a lighting strategy shall be submitted to the Local Planning Authority for approval. All approved details shall then be implemented in full.

Reason: To ensure that lighting is considered and approved at the earliest stage in order to control the residential amenities of the local environment in accordance with Arun District Local Plan policies GEN7, GEN33.

- 24 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 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 amenity and in accordance with Arun District Local Plan policy GEN7.

- 25 No dwelling shall be occupied until space for that dwelling has been laid out for the parking of cars, motorcycles 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.

Reasons: In the interests of amenity and impact upon the setting of the Conservation Area and in accordance with Arun District Local Plan policies GEN7 and GEN22.

- 26 INFORMATIVE:

Please note that related to this permission there is an agreement under Section 106 of the Town & Country Planning Act 1990.

INFORMATIVE:

With reference to Condition 14, the applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. the applicant/developer should contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk in order to progress the required infrastructure.

INFORMATIVE:

S278 Works:

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 highway prior to the agreement being in place.

INFORMATIVE:

Section 59 of the 1980 Highways Act - Extra ordinary Traffic:

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.



Neil Crowther
Group Head of Planning

Case Officer: David Innes

Date of Decision:

7 December 2017

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

