

From: Simon Davis
Sent: 14 December 2020 17:23
To: Kate Little [REDACTED]
Cc: Sam Pinkus [REDACTED]
Subject: RE: North of Yapton C of E School, North End Rd, Yapton

Hi Kate,

I've worked up my proposed draft conditions and attach for you. Please advise if you have any comments on these. There are two pre-commencement conditions both relating to tree protection. The second of the two is not really pre-commencement but it does have an element that is.

Please note that normally the PC letter goes out through our system but as this will go to Henry Adams, I'm attaching the draft version instead to save time (even though I note it does not say draft on it). If you want the agent details changing on both applications now then the request needs to come from Henry Adams.

I am also aware that the date for response to the PC letter is after the expiry so if you can reply as soon as you are able that would be helpful. All being well, I am hoping to have the report in front of my Team Leader on Wednesday for review and issuing.

Simon

Simon J Davis MRTPI
Principal Planning Officer
Directorate of Place

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Chichester
PO19 1UA

Please ask for: Mr S Davis
Email: Simon.Davis@arun.gov.uk
Telephone: 01903 737874
Our Ref: Y/71/20/RES
Your Ref:
Date: 14th December 2020

Dear Miss White,

**Town and Country Planning (Pre-commencement Conditions) 2018
Notice of intention to impose pre-commencement conditions**

Approval Of Reserved Matters Following Outline Consent Y/88/18/Out For The Erection Of 38 No. Dwellings, Public Open Space, A Play Area & Drainage Features. This Application Affects Public Rights Of Way.

Land North Of Yapton Church Of England Primary School North End Road Yapton

From 1 October 2018 section 100ZA(5) of the Planning Act 1990 provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition (except in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018).

The following Pre Commencement Condition/s are Proposed:

- 2 Before the site is occupied or any machinery is introduced to the site or demolition work or construction work or alterations to existing ground levels takes place a PRE-COMMENCEMENT Site Meeting is to take place between the Planning Authority's Tree Officer and the Arboricultural Expert representing the site owner(s) - at this meeting all protective fencing and ground protection measures will be inspected to verify they are 'Fit for Purpose' as required under British Standard 5837:2012 and have been erected and positioned exactly as shown on the Tree Protection Plan PJC/5593/20/C (sheets 1-6 inclusive), 28/07/2020.

Reasons: To comply with BS5837 and 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. This is required to be a pre commencement condition because it is necessary to ensure that trees are fully protected before the ground is disturbed and works commence.

- 3 All activity at the site is to be carried out in strict accordance with: the Arboricultural Method Statement, PJC ref: 5593/20-02 Rev- (28/07/2020).

If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones, then prior to their installation a Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced out on site.

Reasons: To comply with BS5837 and policy ENV DM4 of the Arun Local Plan 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. This is required to be a pre commencement condition because it is necessary to ensure that trees are fully protected before the ground is disturbed and works commence.

OPTIONS:

1. Confirm your acceptance in writing by the **30th December 2020**.
2. Choose not respond (i.e. remain silent). If there is no response by the **30th December 2020** the Local Planning Authority may grant planning permission subject to the terms of the pre-commencement condition specified in the notice.
3. Provide comments before the **30th December 2020** on the proposed pre-commencement condition, in which case that condition cannot be imposed.
4. Indicate before the **30th December 2020** that you do not agree to the terms of the proposed pre-commencement condition, in which case the Local Planning Authority may then either:
 - a. grant planning permission without the pre-commencement condition,
 - b. seek written agreement to an alternative pre-commencement condition, or
 - c. refuse to grant permission (if it considers that the disputed pre-commencement condition is necessary to make the development acceptable in planning terms).

If you wish to discuss the contents of this letter, or if there is anything you do not understand, please contact the case officer on the above extension.

Yours sincerely



Neil Crowther
Group Head of Planning

For details of how the Council will deal with your data please refer to our privacy notices on the website www.arun.gov.uk/planning-privacy-statements

If you have provided an email address, all correspondence including the decision notice will be sent by email. It is therefore important that you keep us informed if this changes during the course of this application.