

DECISION NOTICE

Application Ref: Y/74/20/PL

1 To Addressee

Henry Adams LLP
Rowan House
Baffins Lane
Chichester
PO19 1UA

2 Site Address

Land at Stakers Farm
North End Road
Yapton

3 Description of Development

Variation of conditions 3 (plans condition) to replace 'Proposed Arrangement Drawing', remove 'Swept Path Analysis' & amendment to referencing/wording of the Location Plan currently referred to as 'drawing 6468-04 REV B as there is no revision B & 24 (range of dwellings) to include the wording 'or as otherwise agreed in writing by the Local Planning Authority following Y/44/17/OUT. This application is in CIL Zone 3 (Zero Rated) as other development.

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 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 3 years beginning with the date of the planning permission under Y/44/17/OUT (14 December 2018):

- (a) Layout;
- (b) Scale;
- (c) Appearance;
- (e) 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 be begun either before the expiration of 3 years from the date of the planning permission under Y/44/17/OUT (14 December 2018) or before expiration of 2

years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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 plans:

- Drawing 6468-04 "Location Plan"; and
- Drawing YAP-S278-01 Rev J "S278 General Arrangement and Construction Makeup".

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

- 4 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 or as otherwise agreed in writing by the Local Planning Authority.

Reason: In accordance with policy H2 of the Yapton Neighbourhood Plan and policy H DM1 of the Arun Local Plan in the interests of ensuring homes are provided to meet local demand.

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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

INFORMATIVE: All of the conditions imposed on Y/44/17/OUT shall remain in force except for conditions 1, 2, 3 and 24 which are replaced by the conditions 1-4 above.

INFORMATIVE: It is noted that this permission will be granted pursuant to Section 73 of the Town and Country Planning Act 1990 and the original permission was granted before a Community Infrastructure Levy (CIL) Charging Schedule took effect. Therefore, in accordance with the CIL Regulations 2010 (as amended) there will be no CIL charge on this permission as there is no net increase in floorspace between the original permission and the Section 73 permission.



Neil Crowther
Group Head of Planning

Case Officer: Mr S Davis

Decision Issued: **12th November 2020**

Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton

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).