



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/5/17/OUT

1

To Addressee

WYG Planning & Environment
 The Pavilion
 1st Floor
 Botleigh Grange Office Campus
 Hedge End
 SO30 2AF

2

Site Address

Cinders Nursery & Land R/O
 Cinders Lane

 BN18 0JJ

3

Description of Development

Outline application for 51no. dwellings with all matters reserved except for access. This application is a Departure from the Development Plan.

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 3 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 be begun either before the expiration of 5 years from the date of this permission, 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:

Location plan dwg. HP16098 001 004a;
 Conceptual Layout plan dwg. HP16098 003 004b;
 Development framework 002 09/06/17;
 "Vehicle Tracking" ref 020.0096.006 Rev P2;
 "Refuse Corner Tracking" ref 020.0096.010 Rev P1;
 "Refuse Tracking" ref 020.0096.007 Rev P2;
 "Site Access Road General Arrangement" ref 125.0003.001 Rev B;
 "Site Access Road General Arrangement showing Visibility Splays" ref 125.0003/002 Rev D; and
 "Site Access Road Visibility Splays and Forward Visibility" ref 020.0096.005 Rev P3.

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 The site clearance works shall be carried out in full accordance with the approved "Great Crested Newt Non-Licensed Method Statement" (April 2017).

Reason: To safeguard any resident Great Crested Newts in accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

- 5 The demolition of any existing buildings shall be undertaken by hand with careful stripping of internal and external roof spaces. If any bat is found during demolition then all works must cease and Natural England contacted. No further demolition may take place unless and until the Local Planning Authority has been supplied with the agreement of Natural England.

Reason: To safeguard any resident bat species in accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

- 6 Prior to development or any preparatory works commencing the on-site reptile population shall be translocated only in accordance with the submitted reptile translocation strategy as contained within the Reptile Presence/Absence Survey Report (April 2017) and retained as such thereafter, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To safeguard resident reptile species in accordance with in accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework. This is required to be a pre-commencement condition because the commencement of construction works would disturb/harm and on-site reptiles.

- 7 The reserved matters submission shall be prepared alongside adjoining site pursuant to Y/32/17/OUT with a masterplan drawn up to ensure that the two sites relate to and are physically connected to each other. The approved links/connections shall then be provided prior to completion of the development and retained in perpetuity.

Reason: To ensure a cohesive form of development in accordance with policy D DM1 of the Arun Local Plan and the National Planning Policy Framework.

- 8 No development shall be commenced until such time as a Traffic Regulation Order or revision to an existing order, promoting the provision of no waiting restrictions adjacent to the access has been submitted to, and subsequently promoted by, the Local Highway Authority.

Reason: In the interests of highway safety and the amenities of the area in accordance with policy D DM1 of the Arun Local Plan and the National Planning Policy Framework. This is required to be a pre-commencement condition because it is necessary to ensure the safety of the access prior to commencement.

9

No development shall take place, including any 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 routing 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 the provision of temporary Traffic Regulation Orders),
- * details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area in accordance with policies D DM1 and T SP1 of the Arun Local Plan and the National Planning Policy Framework. This is required to be a pre-commencement condition because it is necessary to have the site set-up agreed prior to access by construction traffic.

10

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
2. 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.
3. The site investigation results and the detailed risk assessment (2) 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.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Where demolition is required 1. and 2. above should be submitted prior to demolition. Parts 3. and 4. can take place post demolition if necessary.

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 Local Plan policies D DM1 and QE DM4. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences.

11

Development shall not commence until a drainage strategy detailing the proposed means of foul disposal and a 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 that the proposed development has a satisfactory means of disposing of foul sewerage in accordance with policies W DM1 and W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because it would not be possible to implement a foul drainage scheme once development had been completed.

- 12 Development shall not commence until full details of the proposed measures to be undertaken to protect the existing public sewer located at the western end of Cinders Lane have been submitted and approved in writing by the local planning authority (in conjunction with Southern Water). The approved measures shall thereafter be implemented and retained for the duration of the construction process.

Reason: To ensure that the proposed development does not result in any damage to the existing foul sewer in accordance with policies W DM1 and W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because otherwise damage could occur to the sewer.

- 13 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 in accordance with policy W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because it would not be possible to implement a surface drainage scheme once development had commenced.

- 14 The development shall not proceed until formal consent has been approved in writing from the Lead Local Flood Authority (WSCC) or its agent (ADC) for the discharge of any flows to watercourses, or the culverting, diversion, infilling or obstruction of any watercourse on the site.

Any discharge to a watercourse must be at a rate no greater than the pre-development run off values.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policy W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the condition concerns matters that go to the heart of the planning permission.

- 15 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 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 and policy W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because surface water drainage goes to the heart of the planning permission.

- 16 The development layout shall not be agreed until such time that arrangements for the future access and maintenance of any watercourse or culvert (piped watercourse) crossing or abutting the site has been submitted and approved in writing by the Local Planning Authority.

No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities of any watercourse on or adjacent to the site.

Reason: To ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion. Also in accordance with policy W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the condition concerns matters that go to the heart of the planning permission.

- 17 The development layout shall not be agreed until such time as full details of reparatory measures to be carried out to the ditch on/within the western boundary of the development site to reinstate this ditch to an agreed standard & routing been submitted and approved in writing by the Local Planning Authority. The agreed reparatory measures shall then be implemented in full prior to commencement of construction works.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policy W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because the condition concerns matters that go to the heart of the planning permission.

- 18 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 future residents in accordance with Arun Local Plan policy TEL SP1 and Yapton Neighbourhood Plan policy BE1.

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.

- 19 No part of the development shall be first occupied until the vehicular access serving the development has been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety and in accordance with Policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 20 No part of the development shall be first occupied until such time as a Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan Statement shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport in accordance with Policy T SP1 of the Arun District Local Plan and the National Planning Policy Framework.

- 21 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 QE DM3 (c) of the Arun Local Plan and the National Planning Policy Framework.

- 22 Prior to occupation of any part of the development hereby approved, 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. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the remediated site has been reclaimed in an appropriate standard in accordance with Arun Local Plan policies D DM1 and QE DM4.

- 23 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 and in accordance with policy W DM3 of the Arun Local Plan.

- 24 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 policy W DM3 of the Arun Local Plan.

- 25 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 policy QE DM4 of the Arun Local Plan.

- 26 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations within BS5489:1-2013 but also minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats), the interests of minimising crime and to minimise unnecessary light spillage outside the development site in accordance with policies QE SP1, QE DM2 & ENV DM5 of the Arun Local Plan.

- 27 No removal of trees, shrubs or other vegetation that may contain birds' nests shall take place between 1st March and 31st August inclusive, unless a suitably qualified ecologist/wildlife specialist has undertaken a careful, detailed, check of vegetation for active birds' nests immediately before the vegetation is cleared and confirmed that no nests will be harmed. Where nests are discovered, the vegetation shall remain in place until nesting activity has ended naturally and the ecologist has confirmed that it is safe to proceed.

Reason: To prevent interference with the breeding success of wild birds in the interests of biodiversity conservation, as well as to ensure compliance with the legal protection of birds, their nests and eggs under Section 1 of the Wildlife and Countryside Act 1981, as amended and in accordance with policy ENV DM5 of the Arun Local Plan.

- 28 25% of the 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.

- 29 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 and policy H DM1 of the Arun Local Plan in the interests of ensuring homes are provided to meet local demand.

- 30 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 ECC SP2 of the Arun Local Plan.

- 31 Should any sewer be found during construction works then all development activities shall cease and not recommence until full details of the proposed measures to be undertaken to protect the existing public sewer have been submitted and approved in writing by the local planning authority (in conjunction with Southern Water) and then implemented in accordance with the agreed details.

Reason: To ensure that the proposed development does not result in any damage to the existing foul sewer in accordance with policies W DM1 and W DM3 of the Arun Local Plan.

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: 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, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel 033 0303 0119) or www.southernwater.co.uk in order to progress the required infrastructure.

INFORMATIVE: If a sewage treatment plant or related pumping station is required on the site then there should be a distance of at least 15m between the pumping station/treatment plant and any residential dwelling.

INFORMATIVE: Drainage Engineers advise that Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE 365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have

provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 30% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Supplementary guidance notes are also available on request.

INFORMATIVE: The Council's Tree Officer has stated that all demolition & construction works are to be carried out in strict accordance with the submitted Arboricultural Method Statement Report Ref: PJC 4372/17-02 (23rd June 2017) and the Tree Protection Plan ref: PJC 4372/17/A Rev 01 (16th May 2017). However, it would not be appropriate to make this a planning condition as layout is a reserved matter and the layout may therefore change with the result that the submitted tree plans would also need to change. Therefore this is given as an informative only at this time.

INFORMATIVE: Please note the following comments made by Sussex Police:

- * Access to the development at present is via a shared junction and a private track. In order to protect the safety of pedestrians accessing the development I would like to see traffic calming measures implemented along with lighting throughout the development that conforms to the recommendations within BS 5489:2013;
- * The development in the main has outward facing dwellings with the dwellings having back to back gardens. This has created good active frontages with the streets and the public areas being overlooked, this design has eliminated the need for vulnerable rear garden pathways;
- * Parking in the main has been provided with in-curtilage, garage and a number of on-street parking bays, this should leave the street layout free and unobstructed;
- * As the first line of defence, perimeter fencing must be adequate with vulnerable areas such as side and rear gardens needing more robust defensive barriers by using walls or fencing to a minimum height of 1.8metres;
- * Gates that provide access to the side of the dwelling or rear access to the gardens must be robustly constructed of timber, be the same height as the adjoining fence and be lockable from both sides;
- * Such gates must be located on or as near to the front of the building line as possible; and
- * Where softwood screening and fencing has been installed to the perimeter, in order to deter access it will be imperative to ensure that no hand or footholds have been created that enables easy access over the perimeter fencing.

INFORMATIVE: Please ensure that the layout and landscaping scheme required at the reserved matters stage incorporates the following mitigation measures as recommended by the Council's ecologists:

- * The existing hedgerows are used by bats and must be retained;
- * A 5m wide buffer strip should be in place to existing retained hedgerows and these areas left undisturbed during construction;
- * Any gaps within hedgerows should be filled in using native hedge species to improve connectivity;
- * Where it becomes necessary to remove a hedge, then new hedgerow should be planted elsewhere;
- * Bat roosting opportunities within the building framework using bat tiles and bat bricks;
- * Replacement of felled trees at a 2:1 ratio;
- * Bat and bird boxes installed on the site; and
- * Wild flower meadow areas within the open space on-site.

INFORMATIVE: The Council's Economic Development Team requests that the eventual developer signs the Arun Developer and Partner Charter and works with the Economic Development Team to run an event to encourage local businesses to be involved in work on and supplying the development as well as producing and implementing a Work and Skills Plan. The Economic Development Team is available to assist with both of these.

INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal

agreement relating to:

AFFORDABLE HOUSING

30% of the total dwellings on the site to be affordable with a tenure split and dwelling type to be agreed at a later date with the Council and set out in an Affordable Housing Statement. To be provided before 50% of the scheme is occupied.

NHS

A contribution of £50,734 to be spent on The Avisford GP surgery for the infrastructure needs of managing "on the day demand". On commencement of development.

PRIMARY EDUCATION

Formula for calculation at the reserved matters stage to be spent on additional facilities at Yapton CE Primary School, Yapton. Payable on commencement of development.

SECONDARY EDUCATION

Formula for calculation at the reserved matters stage to be spent on additional equipment at Ormiston Six Villages Academy (Secondary Level). Payable on commencement of development.

6TH FORM EDUCATION

Formula for calculation at the reserved matters stage to be spent on additional equipment at St Phillip Howard Catholic School (6th Form), Barnham. Payable on commencement of development. However, this contribution is not considered to be compliant with the CIL Regulations and therefore this decision is not supported by its inclusion within the signed S.106 agreement.

LIBRARIES

Formula for calculation at the reserved matters stage to be spent on a proposed Tier 7 library within a community space for the Six Villages. Payable on commencement of development.

FIRE & RESCUE:

Formula for calculation at the reserved matters stage to be spent on the supply and installation of additional fire safety equipment to vulnerable person's homes in West Sussex Fire Rescue Services Southern Area serving Yapton. Payable on commencement of development.

HIGHWAY CONTRIBUTIONS

Contribution of £98,880 towards the provision of a new footpath on the eastern side of the B2132 Bilsham Road from Tudor Close, past Taylors Close to Grevatts Lane West to link up with a pathway from there to Comet Corner.

Traffic Regulation Order contribution of £7000 to restrict parking in the vicinity of the access.

ON-SITE LOCAL PLAY

- (a) a management plan for the forward maintenance of the Public Open Space (POS), Local Area for Play (LAP) and Local Equipped Area for Play (LEAP) which details the management regime and responsibility; or
- (b) where the POS, LAP & LEAP are to be handed over to the Council post practical completion, a commuted sum payment of £13.51 per m2 of POS for future maintenance.


Neil Crowther
Group Head of Planning

Case Officer: Mr S Davis

Date of Decision:

31 August 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

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).