

DECISION NOTICE

Application Ref: Y/82/20/RES

1 To Addressee

Pegasus Group
Pegasus House
Querns Business Centre
Whitworth Road
Cirencester
GL7 1RT

2 Site Address

Land to the south of Ford Lane
and East of North End Road
Yapton
BN18 0DS

3 Description of Development

Approval of reserved matters following outline consent Y/80/16/OUT for 4.5ha of residential development comprising of 3.4ha of land for the erection of 100 No. dwellings (up to 30 (30%) affordable housing) together with 1.1ha of land set aside for public open space, strategic landscaping, 2.2ha of public open space, green corridors with vehicular access from Ford Lane & pedestrian/cycle access only from North End Road (resubmission following Y/19/20/RES). This application may affect the setting of listed buildings, affects the character & appearance of the Church Lane, Yapton Conservation Area & affects a Public Right of Way. This site falls within Strategic Site SP2 (Zero Rated).

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 development hereby approved shall be carried out in accordance with the following approved drawings and submitted materials:
 - Drawing No. 037 Rev. A - Site Location Plan
 - Drawing No. 065 Rev. A - Planning Layout (Colour)
 - Drawing No. 065 Rev. A - Planning Layout (B&W)
 - Drawing No. 068 Rev. B - Affordable Housing with 80% rented / 20% shared ownership
 - Drawing No. 071 Rev. A - Enclosures Plan
 - Drawing No. 072 Rev. B - Materials Plan

- Drawing No. 074 Rev. A - Massing Plan
- Drawing No. 075 Rev. A - Hard Surfacing Plan
- Drawing No. 076 Rev. A - Parking Plan
- Drawing No. 077 Rev. A - Refuse Plan
- Drawing No. 80 - Movement Plan
- Drawing No. 70 Rev. A - Street Scenes A-D
- Drawing No. 12 - Bakewell / Buxton (4 Block) Floor Plans
- Drawing No. 13 - Bakewell / Buxton (4 Block) Elevations
- Drawing No. 25 - Letchworth Special Floor Plans
- Drawing No. EF_LETC_SM.5 Rev. A - Letchworth Elevations
- Drawing No. 18 - Oxford Lifestyle Elevations and Floor Plans
- Drawing No. 19 - The Oxford Lifestyle "2017 Edition" Elevations and Floor Plans
- Drawing No. 20 - Leamington Lifestyle Elevations and Floor Plans
- Drawing No. 21 - Leamington Lifestyle Elevations and Floor Plans
- Drawing No. 46 - Stratford Elevations and Floor Plans
- Drawing No. 47 - Stratford Elevations and Floor Plans
- Drawing No. EF_CAMB_DM.8 - Cambridge Elevations and Floor Plans
- Drawing No. EF_CAMB_DM.8 - Cambridge Elevations and Floor Plans
- Drawing No. 45 - Harlech Elevations and Floor Plans
- Drawing No. EF_SHAF_DM.8 - Shaftesbury Elevations and Floor Plans
- Drawing No. EF_CANT_DM.7 Rev. C - Canterbury Floor Plans
- Drawing No. EF_CANT_DM.7 Rev. B - Canterbury Elevations
- Drawing No. EF_HARR_DM.8 Rev. B - Harrogate Elevations and Floor Plans
- Drawing No. EF_HARR_DM.8 Rev. A - Harrogate Elevations (Render) and Floor Plans
- Drawing No. EF_SUND_DM.7 Rev. A - Sunningdale Floor Plans
- Drawing No. EF_SUND_DM.7 Rev. A - Sunningdale Elevations
- Drawing No. EF_HENL_DM.6 Rev. A - Henley Floor Plans
- Drawing No. EF_HENL_DM.6 Rev. A - Henley Elevations
- Drawing No. EF_TT3_M.4 - Tavy (Four Block) Floor Plans
- Drawing No. EF_TT3_M.4 - Tavy (Four Block) Elevations
- Drawing No. EF_DD4_M.3 - Dart (Four Block) Floor Plans
- Drawing No. EF_DD4_M.3 - Dart (Four Block) Elevations
- Drawing No. EF_TEME_SM.10 - The Teme "2014 Edition" Elevations and Floor Plans
- Drawing No. 038 Rev. F - Apartment A Floor Plan and Elevations
- Drawing No. 34 - Single Garage "2017 Edition" Floor Plan and Elevations
- Drawing No. 35 - Twin Garages "2017 Edition" Floor Plan and Elevations
- Drawing No. 045 Rev. A - Proposed Residential Development Plan
- Drawing No. 046 - Feature Brick Entrance Wall
- Drawing No. 0100 Rev. PL09 - Coloured Masterplan
- Drawing No. 0301 PL07 - Detailed Planting Plan - Sheet 1 of 8
- Drawing No. 0302 PL09 - Detailed Planting Plan - Sheet 2 of 8
- Drawing No. 0303 PL09 - Detailed Planting Plan - Sheet 3 of 8
- Drawing No. 0304 PL09 - Detailed Planting Plan - Sheet 4 of 8
- Drawing No. 0305 PL09 - Detailed Planting Plan - Sheet 5 of 8
- Drawing No. 0306 PL09 - Detailed Planting Plan - Sheet 6 of 8
- Drawing No. 0307 PL05 - Detailed Planting Plan - Sheet 7 of 8
- Drawing No. 0308 PL05 - Detailed Planting Plan - Sheet 8 of 8
- Drawing No. 0309 PL09 - Plant Schedule and Maintenance Specification
- Drawing No. 0501 PL09 - Boundary Treatment Plan
- Drawing No. 0601 PL07 - Tree Setting Out Plan - 1 of 8
- Drawing No. 0602 PL09 - Tree Setting Out Plan - 2 of 8
- Drawing No. 0603 PL09 - Tree Setting Out Plan - 3 of 8

- Drawing No. 0604 PL09 - Tree Setting Out Plan - 4 of 8
- Drawing No. 0605 PL09 - Tree Setting Out Plan - 5 of 8
- Drawing No. 0606 PL09 - Tree Setting Out Plan - 6 of 8
- Drawing No. 0607 PL04 - Tree Setting Out Plan - 7 of 8
- Drawing No. 0608 PL05 - Tree Setting Out Plan - 8 of 8
- Drawing No. 18-344/100 Rev. F - Refuse Vehicle Swept Path Analysis
- Drawing No. 18-344/101 Rev. E - Fire Tender Swept Path Analysis
- Drawing No. 18-344/102 Rev. E - Private Car Swept Path Analysis
- Drawing No. 18-344/103 Rev. E - General Arrangement
- Drawing No. 18-344/105 Rev. D - Pumping Station Tanker Swept Path Analysis
- Drawing No. 18-344/111 Rev. A - Substation Maintenance Vehicle Tracking
- Drawing No. 0401 Rev. PL02 - Sections through Infiltration Basin
- Drawing No. 0502 Rev. PL06 - Detailed Play Provision - LAP 1
- Drawing No. 0503 Rev. PL06 - Detailed Play Provision - LAP 2
- Drawing No. 0505 Rev. PL05 - Detailed Play Provision - LEAP

- House Type Brochure, prepared by Geoff Perry Associates Limited
- Landscape Maintenance & Management Specification, prepared by Fabrik, dated November 2019, Rev. PL08.
- Design Response, Ford Lane, Yapton.
- Tree Survey & Arboricultural Impact Assessment: Ford Lane, Yapton V1 (Ref. JSL3292_772), June 2020.
- Ecology Mitigation and Enhancement Strategy, Ford Lane, Yapton, West Sussex (ECO00395) 28th October 2020, prepared by RPS Group.

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

- 2 No dwelling shall be occupied until the road(s), footways, and parking areas serving it have been constructed, surfaced and drained in accordance with the approved plans and details.

Reason: To secure satisfactory standards of access for the proposed development, in accordance with Policy D DM1 the Arun Local Plan.

- 3 No dwelling shall be occupied until the garage for that dwelling shown on the approved plans has been constructed and provided for the dwelling to which it relates. The garage shall not be used for any purpose other than the parking of vehicles and for domestic storage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in accordance with Policy D DM1 of the Arun Local Plan.

- 4 No dwelling shall be first occupied until covered and secure cycle parking spaces serving that dwelling has been provided.

Reason: To provide alternative travel options to the use of the car in accordance with Policy D DM1 and Policy T DM1 of the Arun Local Plan.

- 5 Prior to commencement of works to footpath 357, details of a non-dig surfacing method to be used for the surface treatment of PRow Footpath 357 running within the Root Protection Area (RPA) of the Lime Tree, which is a category A tree of potential veteran status, should be submitted for approval in writing by the Local Planning Authority. The approved details should be implemented during the surfacing of PRow Footpath 357 and as part of any maintenance works on the footpath within the RPA of the Lime Tree.

Reason: To ensure that the roots of the Lime Tree are protected and allows PRow Footpath 357 to be surfaced in robust materials in accordance with Policy D DM1 and Policy ENV DM4 of the Arun Local Plan.

- 6 Prior to the export of any material from site, or within six months of commencement of development, whichever is earlier, a soils management plan shall be submitted for approval in writing by the Local Planning Authority. The soil handling measures and the proposed use of on-site soils as set out in the approved soils management plan will be implemented on site to ensure that the soil resource is preserved.

Reason: To enable the Local Planning Authority to control the development and protect the soil resources on the site, in accordance with Policy SO DM1 of the Local Plan

- 7 Notwithstanding the provisions of Class A, A.1, (g) within Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no rear extensions to the dwelling houses shall be erected within the curtilage of the dwellings hereby permitted unless planning permission is first granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with Policy D DM1 of the Arun Local Plan.

- 8 No development above damp proof course (DPC) level shall take place until an Electric Vehicle Charging Strategy has been submitted and approved in writing by the Local Planning Authority which identifies the nature, form and location of electric charging infrastructure to be provided across the development. The electric vehicle strategy shall then be implemented in accordance with the approved details, prior to first occupation.

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 D DM1 and Policy QE DM3 (c) of the Arun Local Plan and the NPPF. It is considered necessary for this to be a pre-commencement condition to ensure that the requisite charging infrastructure is designed into the housing development and it is implemented.

- 9 No development above damp proof course (DPC) level shall take place until there has been submitted to, and approved in writing by the Local Planning Authority the detailed Standard Assessment Procedure (SAP) calculations (once detailed construction design has been undertaken) together with a timetable for how the 10% decentralised energy will be achieved on the site.

Reason: In order to seek to achieve high levels of energy efficiency in accordance with the aims of the NPPF and Policy ECC SP2 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.



Neil Crowther
Group Head of Planning

Case Officer: Michael Eastham

Decision Issued: **10th November 2020**

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 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).