

CHICHESTER DISTRICT COUNCILTOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE
ORDER) 2010 (now, as amended)

Agent Details:

Mr John Western
Lucas Hickman Smith
21 Town Green
Wymondham Norfolk
NR18 0PN United Kingdom

Applicants Details :

Mr Mathew Newbury
Newbury Developments (London) Ltd
84 Brook Street
Mayfair London
W1K 5EH United Kingdom

In pursuance of their powers under the above mentioned Act and orders, the council hereby notify you that they **PERMIT** the following development, that is to say:

The erection of 3 no. 4 bed houses following demolition of the existing dwelling and outbuildings.**Kogala The Drive Ifold Loxwood Billingshurst West Sussex RH14 0TD**

to be carried out in accordance with your application and plan no. PS/14/02891/FUL as modified by the undermentioned conditions if any submitted to the Council on 15 September 2014 and subject to compliance with the conditions specified hereunder:

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2) The development hereby permitted shall be carried out in accordance with the approved plans: 1319.01, 1319.02D, 1319.03, 1319.10 Rev. B, 1319.11 Rev. B, 1319.13, 1319.12 Rev. B, 1319.20G Rev A, 1319.21G Rev. A, 1319.22G Rev. A, 1319.23G, 1319.30G Rev. A, 1319.31G Rev. A, 1319.32G Rev. A, 1319.33G, 1319.51C and 1319.52C

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3) The development shall be constructed using the surfacing, facing, window and door materials and finishes below;
 - Crest Old Saxon Blend bricks
 - Sandtoft Humber Natural Red rooftiles
 - Black stained timber cladding and soffits
 - Velfac windows in RAL 7038 (Agate)
 - Oak front doors
 - Tarmac Drive
 - Bradstone paving in Peak/Buff/Riven

unless any variation is approved in writing by the Local Planning Authority.

Reason: In the interests of amenity.

- 4) 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 and 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.

No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details.

Reason : To ensure that the proposed development is satisfactorily drained.

- 5) 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 details of financial management and arrangements for the replacement of major components at the end of the manufacturers recommended design life. Upon completed construction of the SuDs System, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

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: C697 Chapter 22.

- 6) No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- (i) the parking of vehicles of site operatives and visitors;
 - (ii) loading and unloading of plant and materials;
 - (iii) storage of plant and materials used in constructing the development;
 - (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - (v) wheel washing facilities;
 - (vi) measures to control the emission of dust and dirt during construction;
 - (vii) turning on site of vehicles;
 - (viii) the location of any site huts/cabins/offices.

Please note, the parking of vehicles will not be permitted on The Drive in association with the construction of the development.

Reason: To ensure safe and neighbourly construction.

- 7) Prior to the commencement of development a 1.8m high close boarding fence shall be erected along the northern boundary adjacent to the access drive in accordance with drawing no. 1319.02, and thereafter the fence shall be retained as approved in perpetuity.

Reason: In the interests of neighbour amenity.

- 8) No dwelling hereby permitted shall be occupied until its associated parking has been provided in accordance with drawing no. 1319.02, and thereafter the parking provision shall be kept available for that use only.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of adjacent highways.

- 9) No dwelling hereby permitted shall be occupied until its associated refuse collection point sufficient in size of accommodate 6 no. 360 litre bins on land adjacent to The Drive on the northern side of the access to the development and on-plot bin storage has been provided, and thereafter the refuse collection and storage areas shall be maintained as approved in perpetuity.

Reason: To ensure that adequate and satisfactory provision is made for proper provision for refuse disposal.

- 11) No development shall take place unless and until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities. In addition, all existing trees and hedgerows on the land shall be indicated including details of any to be retained, together with measures for their protection in the course of development. The scheme shall include seeding with a Native British Wildflower Flora mix appropriate to the soil and climate of the site and shall make particular provision for the conservation and enhancement of biodiversity on the application site. The scheme shall be designed to achieve levels of shelter/windbreak, shade and drought resistance to accord with the expected climate changes during the design life of the development.

Reason: In the interests of amenity and of the environment of the development and to comply with the Natural Environment and Rural Communities Act 2006.

- 12) All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants, including any existing trees or hedgerows indicated as being retained in the approved scheme, which within a period of 5 years from the completion of the development 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: In the interests of amenity and of the environment of the development.

- 13) The development shall be carried out in accordance with the Arboricultural Method Statement submitted with the application dated 17 December 2013. No work shall commence until the protective fencing recommended has been installed on the site. This shall then remain in place throughout the construction phase of the development.

Reason: To prevent damage to the protected trees.

- 14) The development hereby approved shall be carried out in accordance with the mitigation measures recommended in the Reptile Survey Report dated 20 September 2012, Bat Survey Report dated 30 September 2012 and Great Crested Newt Survey Report dated 02 August 2012. Such measures include (but are not limited to) a period of trapping and translocation, excluding reptiles from the proposed construction work zones, direct searches, long-term enhancement measures, post-development monitoring, a 'soft approach' to demolition with a licensed bat ecologist present and restrictions to vegetation removal.

Reason: To prevent harm to protected species, in accordance with the Wildlife and Countryside Act 1981.

- 15) Details of the means of disposal of foul sewage shall be submitted to and approved by the Local Planning Authority in writing before development commences on the site.

Reason: To ensure satisfactory foul water drainage.

- 16) INFORMATIVE


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 is reminded that the Council operate a formal procedure for the discharge of conditions. Details of this procedure can be found on the Council's website (<http://www.chichester.gov.uk/planningadvice#planningapplications>) or by telephone (01243 534734).

The plans the subject of this decision can be viewed on the Council's website www.chichester.gov.uk quoting the reference number of the application. For all applications after May 2003, the relevant plans are listed as "Plans-Decided".

Decision Date : 1 December 2014

Signed: 
S. R. Carvell
Director of Environment

NOTES

Town and Country Planning Act 1990
Town and Country Planning (Control of Advertisements) Regulations 1992
Town and Country Planning (Trees) Regulations 1999

Your attention is directed to the following notes. They are for information only and do not pretend to set out the whole of the law on the subject. It would be well for you to consult your solicitor if you are in any doubt.

1. If the applicant is aggrieved by the decision of the District Planning Authority to refuse permission for the development, or is aggrieved by a condition imposed on a planning permission, he may appeal to the Secretary of State in accordance with Section 78 of the Town and Country Planning Act 1990 within six months* from the date of notice or determination giving rise to the appeal. (All appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 3/04A Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. www.planning-inspectorate.gov.uk. Advertisements and ELD/PLD appeal forms are available from County House, Portland Square, Bristol; Tree Preservation Order appeals forms are available from Government Office from The Planning Inspectorate, The Environment Appeals Team, Trees and Hedges, Room 3/25 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Email – environment.appeals@pins.gsi.gov.uk Telephone – 0303 444 5584. One copy of the appeal form must be submitted to the Head of Planning and Building Control Services, Chichester District Council, East Pallant House, Chichester, West Sussex PO19 1TY).

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the District Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order.

*** APPLICANTS SHOULD NOTE THAT THE PERIOD FOR MAKING AN APPEAL IN RESPECT OF HOUSEHOLDER APPLICATIONS (SUFFIX /DOM) IS 12 WEEKS FROM THE DATE OF THIS NOTICE; FOR ADVERTISEMENT APPLICATIONS (SUFFIX /ADV) IT IS 8 WEEKS; AND FOR TREE APPLICATIONS (SUFFIX /TPA) IT IS 28 DAYS.**

2. If permission to develop land is refused or granted subject to conditions, whether by the District Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part V of the Town and Country Planning Act 1990.
3. In certain circumstances a claim may be made against the District Planning Authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in the Town and Country Planning Act 1990.
4. By Section 195 of the Town and Country Planning Act 1990 where an application is made to a District Planning Authority for a Certificate of Lawful Use or Development and is refused in part, the applicant may by notice under this sub-section appeal to the Secretary of State and on any such appeal the Secretary of State shall:
 - (a) if and so far as he is satisfied that the Authority's refusal is not well-founded, grant to the appellant a Certificate of Lawful Use or Development accordingly or, as the case may be, modify the certificate granted by the Authority on the application, and:
 - (b) if and so far as he is satisfied that the Authority's refusal is well-founded, dismiss the appeal.
5. Applicants are advised to consult Regulation (15) of the Advertisements Regulations 1992 regarding appeals in respect of advertisements.
6. Where this notice conveys approval or permission, conditional or unconditional please note that the decision given does not purport to convey any consent or approval which may be required under the Public Health Acts and Building Regulations. Additionally applicants are advised to check the need for notice to be given under the Party Wall etc. Act 1996.

7. Where this notice conveys approval or permission subject to conditions, applicants are reminded that the onus is on them to ensure the conditions have been complied with. Under some circumstances a failure to comply with a condition may result in the whole development being unauthorised.