WORTHING BOROUGH COUNCIL

Rob Huntley
RHPC
2 Fielding Gardens
Crowthorne
RG45 7QW

PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (ENGLAND) ORDER 2015

APPLICATION NUMBER: AWDM/0693/23

Details of Development
OUTLINE PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT OF APPROXIMATELY 90 DWELLINGS, ASSOCIATED CAR PARKING, OPEN SPACES AND LANDSCAPING, WITH PRIMARY ACCESS FROM LYONS WAY AND APPROXIMATELY SIX OF THESE DWELLINGS ACCESSED VIA BEECHES AVENUE AND IMPROVED PEDESTRIAN FOOTPATH LINK TO CHARMANDEAN LANE; ALSO RATIONALISATION OF CAR PARKING PROVISION AT THE EXISTING FOOTBALL GROUND.

Location of Development
LAND NORTH OF BEECHES AVENUE WORTHING WEST SUSSEX

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they PERMIT the above development, in accordance with the application and relevant correspondence registered on 15th May 2023.

This is for reasons stated on the schedule overleaf and subject to compliance with the conditions specified thereon.

G Peck

Gary Peck
Head of Planning & Development
04/12/2025

Adur & Worthing Councils, Development Management, Place Directorate,
Worthing Town Hall, Chapel Road, Worthing, West Sussex, BN11 1HA
Tel: 01903 221065 Email: planning@adur-worthing.gov.uk
Web: www.adur-worthing.gov.uk

SCHEDULE

Conditions

01. The development hereby permitted shall be carried out in accordance with the following approved plans unless specified otherwise in a subsequent condition imposed on this decision notice.

Reference/Drawing Number	Version	Date Rec
SITE LOCATION PLAN	1978-P-001	15.05.2023
PROPOSED LYONS WAY SITE ACCESS	14047-06 D	09.10.2023

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

02. Time

Application for the approval of Reserved Matters for the development hereby approved shall be made to the Local Planning Authority no later than 3 years from the date of this Permission. The development hereby permitted shall not begin later than two years from the date of approval of the last of the Reserved Matters to be approved.

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.*

03. Reserved Matters

Details of the scale, appearance, layout (including internal roads, routes, turning and manoeuvring and parking areas and open spaces within the site) and landscaping, (hereinafter called "the Reserved Matters") of the development shall be submitted to and approved in writing by the Local Planning Authority before any development takes place. The development shall be carried out as approved.

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.*

04. Development Framework

The Reserved Matters' details to be submitted shall be in broad conformity with the Development Framework comprising the following:

i) Design Guide - Morgan Carn Architects, October 2023
ii) Access & Movement Parameter Plan 1978-P-015A
iii) Character Area Parameter Plan 1978-P-019 A
iv) Density Parameter Plan 1978-P-017 B

v) Green Infrastructure Parameter Plan 1978-P-016 B
vi) Height Parameter Plan 1978-P-018 A

Reason: *For the avoidance of doubt, to accord with the submitted application and to ensure a well-designed, good quality environment well related to its context, landscape, neighbouring amenities, site opportunities and constraints.*

05. Separate Vehicular Access

Vehicular access from Beeches Avenue shall not at any time serve more than 6 dwellings and no vehicular road link shall be formed between Beeches Avenue and Lyons Way or any other part of the application site whatsoever.

Reason: *In the interests of clarity, highway safety and neighbouring amenities and to ensure that the vehicular access from Beeches Avenue is not intensively used.*

06. Sustainability

As part of the Reserved Matters details to be submitted pursuant to this Permission, a Sustainability Plan shall also be submitted to the Local Planning Authority for approval. It shall describe measures within the development to achieve sustainable living, including but not limited to the following:

i) Efficient building fabric to reduce energy demand & carbon emissions;
ii) Measures for the provision of sustainable energy and low CO2, (including predicted energy demand and target CO2 values) and the percentage of energy to be provided from renewable sources;
iii) Building orientation and layout to maximise internal daylighting, passive solar gain and natural ventilation;
iv) Ventilation and any heat management / Building Energy Management Systems;
v) Water efficient usage and water saving;
vi) Provision of Accessible and Adaptable dwellings and a proportion of Wheelchair User dwellings, including accessible outdoor spaces and in the public realm;
vii) Consideration of life cycle environmental impacts as part of materials selection.

The Sustainability Plan thereby approved shall be implemented and fully adhered to in carrying out the development.

Reason: ensure sustainable construction and renewable energy provision and the provision of accessible, adaptable and wheelchair homes and accessible spaces to meet local needs.

07. Safe Environment

As part of the Reserved Matters details to be submitted pursuant to this Permission, a Safe Environments Plan shall also be submitted to Local Planning Authority for approval. It shall describe measures within the layout and detailed design of the development and buildings, to minimise the risk and fear of crime and to promote safety, including within pathways and areas of public realm. The Safe Environments Plan thereby approved shall be implemented and fully adhered to in carrying out the development.

Reason: *To ensure a well-designed, good quality and safe environment.*

08. Biodiversity and Trees

As part of the Reserved Matters details to be submitted pursuant to this Permission, the following:-

i) Details of any tree works or removal, to minimise the felling of trees;
ii) Details of tree protection measures, to be undertaken and maintained during development works in accordance with BS 5837-2012 "Trees in Relation to Construction";
iii) Details of site management measures (A 'Landscape and Ecological Management Plan or LEMP') to minimise and manage any impact on protected species, including reptiles, as outlined in section 5 of the Tyler Grange Ecological Impact Assessment Report submitted with the application (TG Report No. 13938_R03_JW);
iv) Within the LEMP at iii) above, a Strategy for the management and enhancement of biodiversity value of the site, as outlined in section 6 of the Tyler Grange Ecological Impact Assessment Report submitted with the application (TG Report No. 13938_R03_JW), including arrangements for monitoring.

The development, including any demolition works, shall only be undertaken in accordance with the details and timetable thereby approved and the Strategy at iv) above shall be used in the design of the layout and landscaping details in the Reserved Matters at condition 3 of this permission.

Reason: *To safeguard and enhance the biodiversity value of the site.*

09. Boundaries

As part of the Reserved Matters details to be submitted pursuant to this Permission details of the positions, design, materials and types of boundary treatments to be used or erected throughout the site. The boundary treatments for individual building curtilages shall be completed prior to occupation of each respective building and retained thereafter.

Reason: *In the interests of visual amenity.*

10. Lighting

Prior to any above ground construction works, a detailed external lighting plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include provisions for street lighting and lighting of the public realm, including measures to minimise impacts on the South Downs International Dark Skies Reserve, and risk of crime, light pollution and impacts on wildlife as appropriate. The lighting thereby approved shall be implemented in accordance with these details and thereafter retained.

Reason: *To assist in the provision of a well-designed, good quality and safe environment, and to ensure well-designed lighting which minimises light pollution and any impacts on wildlife and the character and setting of the adjacent South Downs National Park and South Downs International Dark Skies Reserve, in consultation with the South Downs National Park Authority.*

11. Levels

As part of the Reserved Matters details to be submitted pursuant to this Permission a survey and plan of existing and proposed site and slab levels, including reduced ground levels to minimise building mass and landscape impacts and to provide access for people with disabilities, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter no other raising of levels shall be carried without the prior written approval of the Local Planning Authority.

Reason: *In the interests of clarity, to ensure access for people with disabilities and because changes in levels may materially affect the appearance and impact of the development on the landscape and neighbouring amenities.*

12. Access and Highways

i) No part of the development which is to be served by vehicular access from Lyons Way shall be first occupied until such time as the vehicular access from Lyons Way has been constructed and made available for use in accordance with the details shown on the approved Lyons Way Access Drawing (drawing No 14047-06 D) and further detailed plans which are to be submitted to and approved in writing by the Local Planning Authority as part of the Reserved Matters application, or suitable alternative detailed plans if first submitted to and agreed in writing with the Local Planning Authority.

ii) No part of the development, which is to be served by vehicular access from Beeches Avenue (serving up to a maximum of six dwellings), shall be first occupied until such time as the vehicular access from Beeches Avenue has been constructed and made available for use in accordance with detailed plans which are to be submitted to and approved in writing by the Local Planning Authority as part of the Reserved Matters application, or suitable

alternative detailed plans if first submitted to and agreed in writing with the Local Planning Authority.

Reason: *To secure satisfactory standards of access and detailed plans for each vehicular access for the proposed development.*

13. Visibility

No part of the development which is to be served by vehicular access from Lyons Way shall be first occupied until such time as visibility splays of 2.4 metres by 43 metres have been provided at the proposed site vehicular access onto Lyons Way in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: *In the interests of road safety.*

14. Access & Parking

No dwelling within the development shall be first occupied until the road(s), footways, and parking areas serving that dwelling have been constructed, surfaced, and drained in accordance with plans and details to be first submitted to and approved by the Local Planning Authority, these shall include engineering specifications to ensure that all streets and vehicular access areas are suitable for use by service, refuse collection and emergency vehicles.

Reason: *To secure satisfactory standards of roads, paths and parking for the development.*

15. Off-Site Foot Way Improvement

No part of the development which is to be served by vehicular and pedestrian access from Lyons Way shall be first occupied until such time as dropped kerb/tactile paving works shall have been constructed as shown on the approved Lyons Way Access Drawing (drawing No 14047-06D), and at the existing Sainsbury's servicing access in the position shown on DTA Drawing No 14047-09 dated 28/07/2023, in accordance with details which shall first be submitted to and approved in writing by the Planning Authority.

Reason: *To secure satisfactory standards of roads, paths and parking for the development.*

16. Parking

As part of the Reserved Matters details to be submitted pursuant to this Permission full details of car parking provision be submitted to and approved in writing by the Local Planning Authority, including:

i) the extent of allocated, unallocated and visitor parking spaces showing the dwelling/building to which each space is allocated or related; and
ii) construction specifications, including drainage and means of marking-out/identification.

No dwelling shall be occupied until the car parking space(s) serving the respective dwelling (including associated visitor/unallocated or other parking) has been constructed and provided in accordance with the approved details. Once provided, the spaces shall thereafter be permanently retained at all times for their designated purpose.

Reason: *To ensure the provision of well-located car-parking facilities and sustainable parking to serve the development.*

17. Electric Vehicle Charging

No part of the development shall be first occupied until Electric Vehicle Charging spaces ('EV spaces') and operational charging apparatus, for that part, have been provided in accordance with plans and details, (including details and charging rates for charging apparatus and on-going maintenance for active EV spaces, and details of ducting/cabling for passive EV spaces), have been submitted to and approved by the Local Planning Authority. The EV spaces and associated charging apparatus, ducting and cabling shall be permanently maintained in effective working order thereafter.

Reason: *To ensure the provision of well-located Electric Vehicle Charging spaces to serve the development.*

18. Cycle Parking

No dwelling shall be first occupied until secure cycle parking facilities and appropriate visitor cycle parking facilities, where appropriate to serve the respective dwelling (s) have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: *To provide alternative travel options to the use of the private car.*

19. Travel Plan

The development hereby permitted shall not be occupied unless and until a comprehensive Travel Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the A27). The Travel Plan shall be generally in accordance with Framework Travel Plan 14047-06a submitted with the application and prepared in line with prevailing policy and best practice and shall include as a minimum:

i) the identification of targets for trip reduction and modal shift;

ii) the measures to be implemented to meet these targets including an accessibility strategy to specifically address the needs of residents with limited mobility requirements;
iii) the timetable/ phasing of the implementation of the Travel Plan measures shall be alongside occupation of the development and its operation thereafter;
iv) the mechanisms for monitoring and review;
v) the mechanisms for reporting;
vi) the remedial measures to be applied in the event that targets are not met;
vii) the mechanisms to secure variations to the Travel Plan following monitoring and reviews.

The development shall only be occupied in accordance with the approved Travel Plan which shall remain in place for 5 years unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority in conjunction with the Highway Authority

Reason: *In order to minimise the use of the private car and promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (September 2023) and paragraph 40 DfTCircular 01/2022.*

20. Drainage - Details

Development shall not commence, other than works of site survey and investigation, until details of the proposed means of:

i. foul drainage disposal; and
ii. surface water drainage disposal; and
iii. A hydrogeological assessment identifying any risks to groundwater,

have been submitted to and approved in writing by, the Local Planning Authority. The design of surface water drainage shall 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 recommendations of the SuDS Manual produced by CIRIA and shall maintain existing surface water flow paths across the site, including mitigation measures for any areas of high risk. Winter groundwater monitoring to establish highest annual ground water levels and winter infiltration testing to BRE DG365, or similar approved, will be required to support the design of any Infiltration drainage as well as measures to prevent pollution to groundwater and the water environment.

No part of the development shall be occupied until the complete surface water drainage system and foul drainage serving that part has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: *To ensure adequate foul and surface water drainage, including sustainable drainage in consultation with Southern Water and to ensure that drainage is adequate for the design lifetime and does not increase flood risk elsewhere and minimises the risk of pollution.*

21. Drainage - Management

No construction of any relevant part of the development shall commence until full details of the maintenance and management of the surface water drainage system for that part, including pollution prevention and management measures, is set out in a site-specific maintenance manual and submitted to and approved in writing by the Local Planning Authority. The manual shall include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system for that phase, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: *To ensure adequate foul and surface water drainage, including sustainable drainage and control of risks of pollution in consultation with Southern Water, and to ensure that drainage is adequate for the design lifetime and does not increase flood risk elsewhere.*

22. Drainage - As Built Details

Immediately following implementation of the approved surface water drainage system for the relevant part of the development, and prior to occupation of that part, the developer/applicant shall provide the Local Planning Authority with as-built drawings of the implemented drainage 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. The scheme shall thereafter be maintained to ensure its continued effectiveness.

Reason: *To ensure adequate foul and surface water drainage, including sustainable drainage and pollution risk control and to ensure that drainage is adequate for the design lifetime and does not increase flood risk elsewhere.*

23. Drainage - Infiltration and Groundwater

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to groundwater and controlled waters. The development shall be carried out in accordance with the approved details.

Reason: *To minimise and manage risks associated with existing site contamination to prevent harm to human health and to protect the water environment including groundwater.*

24. Piling and Groundwater

Piling and the use of penetrative construction methods shall not be carried out unless a full piling risk assessment and method statement, including consideration of contaminants, groundwater and aquifers and methods to

minimise risk of contamination, has been submitted to and approved in writing by the Local Planning Authority. Piling and penetrative methods shall only be carried out in accordance with the details thereby approved details.

Reason: *To minimise and manage risks associated with existing site contamination, to prevent harm to human health and to protect the water environment including groundwater.*

25. Ground Remediation - method

No development including any demolition, shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by the Local Planning Authority. This strategy will include the following components:

i). A preliminary risk assessment which has identified:
   a. all previous uses;
   b. potential contaminants associated with those uses;
   c. a conceptual model of the site indicating sources, pathways and receptors; and
   d. potentially unacceptable risks arising from contamination at the site;
   e. provision for further investigations following demolition of the buildings on the site.

ii). A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

iii). The results of the site investigation and the detailed risk assessment referred to in (ii) 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.

iv). A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall be implemented in accordance with the remediation strategy thereby approved unless the Local Planning Authority gives prior written approval for any variation.

Reason: *To minimise and manage risks associated with existing site contamination to prevent harm to human health and to protect the water environment including groundwater.*

26. Ground Remediation - Verification

Prior to any dwelling being occupied, a verification report demonstrating the completion of 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.

Reason: *To minimise and manage risks associated with existing site contamination to prevent harm to human health and to protect the water environment including groundwater in accordance with the National Planning Policy Framework 2023 and Policies DM21 and DM22 of the Worthing Local Plan 2020-2036.*

27. Ground Remediation - Precaution

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 a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as thereby approved.

Reason: *To minimise and manage risks associated with existing site contamination, to prevent harm to human health and to protect the water environment including groundwater.*

28. Fire Hydrants & Water Supply

Prior to the commencement of the development, details of fire hydrants or stored water supply required to serve the development (including location, water pressure and volume), shall be submitted to and approved in writing by the Local Planning Authority. The hydrants or water supply serving the relevant part of the development shall be installed as approved and made available for use prior to occupation of and dwelling in that relevant part of the development.

Reason: *To ensure the provision of adequate fire-fighting facilities for the development.*

29. Noise

As part of the Reserved Matters details to be submitted pursuant to this Permission a survey of existing noise and assessment of noise exposure and risks affecting the development shall be submitted to and approved in writing by the Local Planning Authority. This shall detail any noise mitigation measures to be included within the development. The development shall only be carried out, occupied and maintained in accordance with the details thereby approved.

Reason: *In order to minimise risks of noise and vibration to residents of the development hereby approved.*

30. Construction Management Plan

No development, including any works of demolition, shall commence until a Construction Environmental Management Plan (CEMP) 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 for the development. The Plan shall provide details as appropriate, including of the following matters:-

a) the anticipated number, frequency and types of vehicles used during construction;
b) the method of access and routing of vehicles during construction, with no construction traffic access to the site via Beeches Avenue;
c) safety and timetabling provisions to minimise risks from development traffic during school drop-off and collection times;
d) the parking of vehicles by site operatives and visitors;
e) the loading and unloading of plant, materials and waste;
f) the location of any site compound and site office, including details of any external lighting;
g) the storage of plant and materials used in construction of the development;
h) the erection and maintenance of security hoarding and gate (s);
i) a commitment to no burning on site;
j) a Dust Management Plan incorporating measures to control dust arising from the works;
k) measures in place to deal with minimise risk of and respond to any accidental spillages including containment and clear-up;
l) the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway;
m) efficient construction waste management, re-use and recycling;
n) environmental best practice guidance and contamination prevention and mitigations to minimise risk of impacts to the chalk aquifer;
o) details of any onsite lighting required during development works;
p) ecological protection measures;
q) details of public engagement communications to be used both prior to and during development works to keep neighbouring residents and businesses informed of the nature and duration of development works and contact details for site management.

The Construction Environment Management Plan shall include arrangements for monitoring and effective enforcement and shall contain a construction method statement which be implemented and adhered to throughout development works.

Reason: *In the interests of highway safety, to ensure consultation with National Highways and the County Highway Authority that the A27 Trunk Road and other roads continue to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and DofT Circular 01/2022 and to satisfy the reasonable requirements of road safety and to ensure*

consultation with Southern Water and Environmental Health officers to manage noise and pollution and ecological protection and protection of the chalk aquifer during the construction phase.

31. Working Hours

Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:

Monday - Friday 07:30 - 18:00 Hours
Saturday 08:00 - 13:00 Hours
On Sundays and Bank Holidays no work is permitted.

Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority, at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

Reason: *To safeguard the amenity of neighbouring occupiers during the period of development works.*

32. Archaeology

i) No development or demolition works shall commence until a Written Scheme of Investigation (below-ground archaeological investigation and recording), including provision for on-site field survey and recording and the analysis reporting publishing and archiving of the results has been submitted to and approved by the Local Planning Authority.

ii) The Written Scheme of Investigation approved under i) above shall be implemented and fully adhered to during the course of development, (including any below ground works), and shall fulfil all steps of recording, analysis, reporting, publishing and archiving of the results contained within it.

Reason: *In order to ensure that heritage assets of archaeological interest will be adequately recorded before development and subsequently will be adequately reported.*

Informatives / Notes to Applicant

01. This permission is subject to the s.106 Legal Agreement dated 4th December 2025, which includes provisions and contributions for Affordable Housing; Footpaths and Rights of Way; Travel Plan; Lyons Way; Travel Plan; Car Club; Open Space; Air Quality; Site Management and Monitoring of Ecology/Biodiversity.

02. Highway Authority - West Sussex County Council

i) The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works and to carry out the site access works on the public highway. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

ii) The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.

iii) The reserved matters application (s) should include details of vehicle parking and manoeuvring and cycle parking.

iv) If it is the intention of the applicant to offer any of the roads and associated highways infrastructure for adoption under S38 of the Highways Act 1980, the applicant should apply to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the proposed adoptable on-site highway works. The applicant should contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that any works commenced prior to the S38 agreement being in place are undertaken at their own risk.

03. Sussex Police - Secure By Design

Your attention is drawn to the consultation response from Sussex Police on 4th December 2023. This directs you to the website at www.securedbydesign.com where the Secured by Design (SBD), where the SBD Homes 2023 document can be found. The Secured by Design scheme is a Police initiative to guide and encourage those engaged within the specification, design and build of new homes, to adopt crime prevention measures. The advice given in this guide has been proven to reduce the opportunity for crime and the fear of crime, creating safer, more secure, and sustainable environments.

04. Southern Water

Sewer Connection:
A formal application for connection to the public sewerage system is required in order to service this development. The applicant is advised to contact Southern Water Developer Services, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel 0330 303 0119) or www.southernwater.co.uk or email developerservices@southernwater.co.uk

Condition 20 (iii):
In relation to this condition Southern Water advises a Hydrogeological Risk Assessment must be completed and approved by Southern Water. This report will provide demolition, construction and operational impact assessments of proposed developments to the groundwater environment. The assessment will provide

enhanced groundwater flow conceptualisation and understanding. Where adverse groundwater impacts could arise, appropriate mitigations should be suggested to eliminate or alleviate the impact or achieve betterment. The findings and outcome of this assessment will feed the subsequent assessments and designs listed below.

- Final drainage design be approved by Southern Water. Boreholes soakaways are prohibited at this location for the reasons detailed in this and our previous response. To permit discharge to ground it must be proven the effluent will achieve drinking water standards by the time it is received by our source, otherwise discharge to ground will not be permitted.

- A Foundation Risk Assessment to be completed and this document will be reviewed and approved by Southern Water. This assessment will need to address turbidity and contamination impacts. It will also require a solution feature mitigation plan. All adverse impacts to the Chalk aquifer will need to be mitigated.

- The Construction Management Plan (Condition 30 (n)) This document will also need to be reviewed and approved by Southern Water. It should include reference to environmental best practice guidance and contamination prevention. This document should provide appropriate mitigations to ensure the Chalk aquifer is not impacted.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).
Website: www.southernwater.co.uk or by email at:
SouthernWaterPlanning@southernwater.co.uk

05. West Sussex Fire and Rescue Service (FRS)

As part of the Building Regulations 2004, adequate access for firefighting vehicles and equipment from the public highway must be available and may require additional works on or off site, particularly in very large developments. (BS5588 Part B 5) for further information please contact the Water and Access Manager at West Sussex Fire and Rescue Service West Sussex County Council, Bognor Fire Station, West Meads Drive, Bognor, PO21 5TB Phone: 0330 222 3117 | E-mail: frs.waterandaccess@westsussex.gov.uk

06. Biodiversity

Conditions 3 and 8:
As part of the provision of biodiversity benefits within the design of landscaping and open spaces and in the landscape ecological management plan, the applicant is encouraged to also incorporate features to enhance habitat such as swift boxes and bee bricks within the design of buildings.

The applicants attention is also drawn to the provisions of both the Wildlife and Countryside Act 1981 and the Countryside and Rights of Way Act 2000. Under the 2000 Act, it is an offence both to intentionally or recklessly destroy a bat roost,

regardless of whether the bat is in roost at the time of inspection. All trees should therefore be thoroughly checked for the existence of bat roosts prior to any works taking place. If in doubt, the applicant is advised to contact the Bat Conservation Trust at 15 Cloisters House, 8 Battersea Park Road, London, SW8 4BG. Their telephone number is 020 7627 2629.

07. You are advised to ensure that the development works accord with the Party Wall Act 1996, which set out responsibilities for the undertaking of works at or close to the party wall of any neighbouring owner. Further information can be found at:

https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance

08. 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.

Ref: AWDM/0693/23

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (ENGLAND) ORDER 2015

YOUR ATTENTION IS DIRECTED TO THE FOLLOWING NOTES FROM THE ABOVE ORDER. 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

Appeals to the Secretary of State

1. 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.

2. If you want to appeal, then you must do so within six months, 12 weeks for a minor commercial (shop front) of the date of this notice. Appeals must be made using a form which you can get from the Secretary of State online at https://acp.planninginspectorate.gov.uk or at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000).

3. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of appeal.

4. The Secretary of State need not consider an appeal if it seems to him 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.

5. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

6. If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK

Purchase Notices

7. If either the local planning authority or the Secretary of State refuses 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.

8. In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Planning Act 1990.

9. Further correspondence about this application should quote the reference number at the top right hand corner of the form.

10. 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 Building Act and Building Regulations, or any other legislation.

Reduced time for making a planning appeal where enforcement action is being taken

Where an enforcement notice has been served in relation to the same, or substantially the same, development as in the planning application no earlier than 2 years before the date the application was made, the period for receiving a planning appeal is within 28 days of the date on the planning application decision notice or of the date by which the LPA should have decided the application.

However, the LPA may formally decline to determine a retrospective planning application for permission for any development contained within a pre-existing enforcement notice served on or after 6 April 2012, where that notice was issued before the application was received by the LPA (see above). There is no right to make a planning appeal in such circumstances.

Where an enforcement notice was served in relation to the same, or substantially the same, development after the decision notice on the application was issued or after the end of the period the LPA had to determine the application, the period for receiving a planning appeal is within 28 days of the date the enforcement notice was served (unless this would extend the period beyond the normal 12 weeks or 6 months deadline).