

## DECISION NOTICE

Application Ref: AL/20/26/PL

**1 To Addressee**

Gillings Planning Ltd  
2 Wessex Business Park  
Colden Common  
Winchester  
SO21 1WP

**2 Site Address**

Land at West Barn  
Old Dairy Lane  
Norton  
PO20 3AF

**3 Description of Development**

Demolition of existing tennis court and erection of a commercial building (within Use Class E(g), parking, landscaping and other associated works (resubmission following AL/107/25/PL). This application is a Departure from the Development Plan, may affect the character and appearance of the Norton Lane, Norton Conservation Area and is in CIL Zone 3 (Zero Rated) as other development.

**4** In pursuance of their powers under this Act and related Orders and Regulations the Council **PERMIT** this development to be carried out in accordance with the application and plans and subject to the following conditions.

- 1 The 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 approved shall be carried out in accordance with the following approved plans/documents:

1. Location and Block Plan 04 Rev G.
2. Proposed Site Plan 03 Rev H.
3. Proposed Floor Plans and Roof Plan 01 Rev D.
4. Proposed Elevations 02 Rev D.
5. Hard and Softy Landscaping General Arrangement RCo587/02 Rev P05.
6. Flood Risk Assessment/Drainage Statement/Foul Drainage Impact Assessment Rev P05.
7. Proposed Drainage Layout Sheet 1 of 2 P27002-LRW-XX-XX-DR-C-7501-P03.

8. Proposed Drainage Layout Sheet 2 of 2 P27002-LRW-XX-XX-DR-C-7502-P05; and
9. Hydraulic Calculations P04 dated 10.06.2026.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies C SP1, D DM1, HER DM3, HER SP1, QE SP1, T SP1 and W DM3.

- 3 The building shall be used for office, research and development or light industrial purposes within use class E(g) and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any other Statutory Instrument revoking and re-enacting that Order).

Reason: To enable the Local Planning Authority to maintain control in the interests of the amenities in accordance with Arun Local Plan policies C SP1, D DM1, QE SP1 and T SP1.

- 4 All activity at the site is to be carried out in strict accordance with the submitted Arboriculture Impact Assessment & Method Statement ref RCo587 Rev 03, 20/10/25 and the accompanying Tree Protection Plan ref RCo587/01 Rev 03.

If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones, then prior to their installation a Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued before any works are commenced out on site.

Reason: To comply with BS5837:2012 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area in accordance with Arun Local Plan policies ENV DM4 and D DM1.

- 5 No development shall take place, until a Construction and Environmental Management Plan and accompanying Site Setup Plan has been submitted to and approved in writing by the Local Planning Authority (who shall consult with WSCC Highways, and the Council's Environmental Health Officer). Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. This shall require the applicant and contractors to minimise disturbance during demolition and construction and will include (but not be limited to) details of the following information for approval:

1. The anticipated, number, frequency, types, and timing of vehicles used during construction (construction vehicles should avoid the strategic road network during the peak hours of 0800-0900 and 1700-1800 where practicable).
2. Provision of wheel washing facilities (details of their operation and location) and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulations Orders).
3. Details of street sweeping.
4. Details of a means of suppressing dust and dirt arising from the development.
5. A scheme for recycling/disposing of waste resulting from demolition and construction works (i.e., no burning permitted).
6. Details of all proposed external lighting to be used during construction (including location, height, type and direction of light sources and intensity of illumination).
7. Details of areas for the loading, unloading, parking, and turning of vehicles associated with the construction of the development.
8. Details of areas to be used for the storage of plant and materials associated with the development.
9. Details of the temporary construction site enclosure to be used throughout the course of

construction (including access gates, decorative displays and facilities for public viewing, where appropriate).

10. Contact details for the site contractor, site foreman and CDM co-ordinator (including out-of-hours contact details).

11. Details of the arrangements for public engagement/consultation both prior to and continued liaison during the construction works.

12. Details of any temporary traffic management that may be required to facilitate the development including chapter 8 traffic signage.

13. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s).

Details of how measures will be put in place to address any environmental problems arising from any of the above shall be provided. A named person shall be appointed by the applicant to deal with complaints, shall be available on site and their availability made known to all relevant parties.

No demolition/construction activities shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no work on Sunday or Bank/Public Holidays.

Reason: In the interests of the safety/amenity of nearby residents and occupiers of any nearby noise sensitive premises, the safety and general amenities of the area, and in the interests of highway safety in accordance with Arun Local Plan policies D DM1, QE SP1, QE DM1, QE DM2, QE DM3 and T SP1 and the NPPF. This is required to be a pre-commencement condition because it is necessary to have the construction site set-up agreed prior to access by construction staff.

- 6 Prior to the commencement of development, full details of the proposed surface water drainage scheme must be submitted and approved in writing by the Local Planning Authority. The full details submitted for approval shall include:

1. Detailed drainage plans conforming to Local Planning Authority guidance,
2. Specifications for all surface water drainage components and associated infrastructure or flow control mechanisms,
3. Infiltration testing strictly in accordance with BRE DG 365 or Ciria R156 Guidance,
4. Impermeable area plan,
5. Calculations modelling the surface water drainage network for the following storm events: a.) 100% Annual Exceedance Probability, b.) 10% AEP + climate change allowance, c.) 3.3% AEP + climate change allowance, and d.) 1% AEP + climate change allowance. All storm events must include an allowance for urban creep and surcharged outfalls where appropriate.

The scheme shall then be constructed as per the approved plans. No building shall be occupied until the complete surface water drainage system serving that building has been implemented in accordance with the agreed details. The surface water drainage scheme shall remain for the lifetime of the development unless agreed in writing by the Local Planning Authority. The Local Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with Arun Local Plan policies W SP1, W DM1, W DM2 and the NPPF. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 7 Development shall not commence until full details of the maintenance and management of the

surface water drainage 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 manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with Arun Local Plan policies W DM1, W DM2 and W DM3. It is considered necessary for this to be a pre-commencement condition to ensure that the future maintenance and funding arrangements for the surface water disposal scheme are agreed before construction commences.

- 8 No development above damp-proof course (DPC) level shall take place unless and until a detailed colour schedule of materials and finishes to be used for external walls and roofs of the proposed building has submitted to and approved in writing by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and the setting of the adjoining Conservation Area by endeavouring to achieve a building of visual quality in accordance with Arun Local Plan policies D DM1, HER SP1 and HER DM3.

- 9 No development above damp-proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained. The proposals shall include the provision of suitably mature trees, particularly along the eastern boundary, to ensure that the landscaping is effective in the short to medium term. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of 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, the environment and the setting of the adjoining Conservation Area in accordance with Arun Local Plan policies D DM1 and HER DM3.

- 10 At least 10% of the energy supply of the development shall be secured from on-site decentralised, renewable or low carbon energy sources (as described in the glossary at Annex 2 of the NPPF). Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to, and approved in writing by the Local Planning Authority before any development above damp-proof course (DPC) level 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 the generation of on site renewable energy to meet the predicted demand in accordance with national planning policy, and with Arun Local Plan policy ECC SP2.

- 11 No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use and in accordance with Arun Local Plan policy T SP1.

- 12 No part of the development shall be first occupied until covered and secure cycle parking spaces

have been provided in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. The spaces so provided shall be retained in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with Arun Local Plan policy T SP1.

- 13 The development hereby approved shall not be occupied until all the works which form part of the scheme, for protecting the adjacent residential properties from noise associated with new plant, as approved by the Local Planning Authority under the Acoustic Impact Report by Hawkins Environmental (ref H4551-NV-v5, 24/03/26) have been completed and are fully operational. The approved scheme shall be thereafter maintained in good working order in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of local residents in accordance with Arun Local Plan policies QE DM1 and QE SP1.

- 14 Immediately following implementation of the approved surface water drainage system 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. The scheme shall thereafter be maintained in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained and in accordance with Arun Local Plan policies W SP1, W DM1, W DM2 and W DM3.

- 15 Prior to the occupation of the development hereby approved, full details of all new external lighting (including type of light appliance, the height and position of fitting, predicted illumination levels and light spillage) shall be submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (GN01:2011) and GN08 2023. "Bats and Artificial Lighting at Night" but also:

1. Identify those areas/features on site that are particularly sensitive for bats or that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

2. Show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

The recommended lighting specification shall use LED's (at 3 lux) with the recommended spectrum being 80% amber and 20% white (The recommended Kelvin level is 2700) with a clear view, no UV a horizontal light spread of less than 70 degrees and a timer. A 3D plan of the illumination level should be supplied so that the Local Planning Authority can assess the potential impact on protected species.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats), the interests of minimising crime, road safety and to minimise unnecessary light spillage

outside the development site in accordance with Arun Local Plan policies QE SP1, QE DM2, T SP1 and ENV DM5.

- 16 The first floor high level window on the northern elevation of the building shall at all times be glazed with obscured glass to a level equivalent to Pilkington Level 3 or nearest equivalent standard and fixed to be permanently non-opening. This arrangement shall be permanently retained thereafter.

Reason: To protect the amenities and privacy of the adjoining residential properties in accordance with Arun Local Plan policies D DM1 and QE SP1.

- 17 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), the approved building shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: In order to control the development in the interests of the setting of the nearby heritage assets and the amenities of nearby residents in accordance with Arun Local Plan policies D DM1, HER DM3, HER SP1 and QE SP1.

- 18 If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

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 QE SP1 and QE DM4.

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## **Statutory Biodiversity Gain Plan Condition**

- 19 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (the biodiversity gain condition) that development may not begin unless:

1. A Biodiversity Gain Plan has been submitted to the planning authority, and
2. The planning authority has approved the plan.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

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INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.

INFORMATIVE: A surface water drainage verification condition guidance note is available at <https://www.arun.gov.uk/drainage-planning-consultations>, this clearly sets out our requirements for discharging this condition.

INFORMATIVE: 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 infiltration tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method. All design storms must include a climate change allowance, as per <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances> on stored volumes or rainfall intensity. Infiltration structures must cater for the critical 1 in 10 year storm event, (plus 40%) between the invert of the entry pipe to the soakaway and the base of the structure. All surface water drainage designs must also have provision to ensure there is capacity in the system to contain the critical 1 in 100 year + climate change allowance storm event on site.

Suitable water treatment is required upstream to the point of discharge in all circumstances to minimise any groundwater pollution risk or detriment to the drainage network.

Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest groundwater table in support of the design.

Designers are guided to refer to 'Sustainable drainage systems: non-statutory technical standards' and The SuDS Manual by CIRIA as these guide our decisions about the design, maintenance, and operation of sustainable drainage systems. Supplementary guidance notes and design checklists regarding surface water drainage are located at <https://www.arun.gov.uk/drainage-planning-consultations> and <https://www.arun.gov.uk/surfacewater> on Arun District Council's website

INFORMATIVE: If during construction works, it becomes apparent that implementation cannot be carried in accordance with previously agreed details any resubmission of the drainage design must be accompanied by an updated copy of the management manual.

INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk). Please read the New Connections Services Charging Arrangements documents via <https://beta.southernwater.co.uk/infrastructurecharges>.

INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981 (as amended), with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.



Neil Crowther  
Group Head of Planning

Case Officer: Mr S Davis

Decision Issued: **27th August 2026**

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 should be made on line via Appeal A Planning Decision <https://appeal-planning-decision.service.gov.uk/before-you-start> If someone does not have access to the internet and needs help completing the appeal digitally, they should contact the Planning Inspectorate customer service team on 0303 444 5000 who will provide details of the support options available.

Before making an appeal, you may find it useful to review guidance and watch a video explaining the appeals process at <https://www.gov.uk/government/collections/make-an-appeal-to-the-planning-inspectorate-and-associated-guidance>

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).