

DECISION NOTICE

Application Ref: AW/197/20/PL

1 To Addressee

calfordseaden LLP
Stewart Court
214a Hagley Road
Edgbaston
Birmingham
B16 9PH

2 Site Address

The Former Ship Inn
Aldwick Street
Aldwick
PO21 3AP

3 Description of Development

Variation of conditions 8-concerning hours of deliveries & 10- types of vehicles making deliveries following AW/211/14/PL. This application is in CIL Zone 4 (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 shop premises shall not be occupied unless and until details of the window detailing (including details of the proposed resolutions) to the front elevation has been submitted to and approved by the Local Planning Authority and the new windows so approved shall be constructed in accordance with approved details and retained thereafter.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and the character and appearance of this Building of Special Character in accordance with policies D DM1 and HER DM2 of the Arun Local Plan and the National Planning Policy Framework.

- 2 The shop premises shall not be occupied until such time that arrangements for the future access and maintenance of any watercourse or culvert (piped watercourse) crossing or abutting the site has been submitted and approved in writing by the Local Planning Authority. No construction is permitted, which will restrict current and future land owners from undertaking their riparian maintenance responsibilities of any watercourse on or adjacent to the site.

Reason: To ensure that the duties and responsibilities, as required under the Land Drainage Act 1991, and amended by the Flood and Water Management Act 2010, can be fulfilled without additional impediment following the development completion.

- 3 Notwithstanding Part 7, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no extensions other than those approved by this application shall be erected without an application in that behalf to the Local Planning Authority.

Reason: To protect the amenities of the area and the character of the building in accordance with policies D DM1 and HER DM2 of the Arun Local Plan and the National Planning Policy Framework.

- 4 The timing of deliveries to the store shall be in accordance with the Delivery Management Scheme dated 10/09/20. There shall be no deviation from this Schedule other than with the written approval of the Local Planning Authority.

Reason: In the interests of the residential amenities of neighbouring properties in accordance with policies QE SP1, QE DM1 & QE DM2 of the Arun Local Plan.

- 5 The premises hereby permitted shall only be open to the public between the hours of 06:00 and 23:00.

Reason: To safeguard the amenities of the neighbouring properties in accordance with Arun Local Plan policies QE SP1, QE DM1 & QE DM2.

- 6 Deliveries of goods to the store shall be in accordance with the Delivery Management Scheme dated 10/09/20 and the following accompanying tracking diagrams. There shall be no deviation from the Schedule other than with the written approval of the Local Planning Authority.

"Highway details with Vehicle Tracking: Articulated Delivery Vehicles" dwg B202;

"Vehicle Tracking: Rigid Vehicle" dwg B203

"Vehicle Tracking: Cars Passing Delivery Vehicles" dwg B204; and

"Vehicle Tracking: Refuse Trucks Passing Delivery Vehicles" dwg B205.

Reason: To safeguard the amenities of the neighbouring properties in accordance with policies QE SP1, QE DM1 & QE DM2 of the Arun Local Plan.

- 7 The shop premises shall not be occupied until such time as a Servicing Management Plan has been submitted and approved in writing by the Local Planning Authority. This shall set out the arrangements for the loading and unloading of deliveries in terms of location within the site and frequency (within the limits set by condition 06), and set out arrangements for the collection of refuse. Once occupied the use shall be carried out only in accordance with the approved Plan.

Reason: to safeguard the operation of the public highway in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 8 Within 2 months of the variation of condition planning permission hereby granted, the applicant shall enter into negotiations with the local planning authority to identify a scheme of pedestrian improvements on Aldwick Street in the vicinity of the application site and once the scheme has been agreed in writing with the local planning authority, the applicant is required to enter into a Section 278 agreement with the local highway authority and implement the works in full within a timescale to be agreed.

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

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.

INFORMATIVE: The applicant is advised to contact the Highway Licensing team (01243 642105) to obtain formal approval from the highway authority to carry out the site access works on the public highway.



Neil Crowther
Group Head of Planning

Case Officer: Mr S Davis

Decision Issued: **1st October 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).