

DECISION NOTICE

Application Ref: A/197/21/PL

1 To Addressee

Chalk Architecture Ltd
Unit D Level 8 North
New England House
Brighton
BN1 4GH

2 Site Address

Stitches And Frames
The Square
Angmering
BN16 4EA

3 Description of Development

Change of use of vacant retail shop to restaurant to include the installation of new kitchen extraction system, AC condensers, new windows, awning, planters. This application affects the character & appearance of the Angmering Conservation Area & is in CIL Zone 2 (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 and statements:

Location and Block Plan ref A01;
Proposed Ground Floor Plan ref P100;
Proposed Shop Front Elevations and Section ref P200;
Proposed South and East Elevations ref P201;
The Stone Room Proposed Kitchen Ventilation System Floor Plan (Indicative Specification in Plan View Only) ref 20633;
Detail of Sliding Folding Door Cill;

Detail of Sliding Folding Door Head;
Detail of Sliding Folding Door Jamb; and
The Stone Room, Angmering (Ventilation) System Overview (7th September 21);

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1, HER DM2, HER DM3, QE SP1, QE DM1 and T SP1 of the Arun Local Plan.

- 3 The new exterior painting shall use Dulux colour ref 10BB 28/116 (Greyish Blue) as per the email submitted on 04/11/21. Should there be any unavoidable deviation to this colour then prior to any painting works, details must be submitted to and approved in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and character & appearance of the Conservation Area in accordance with policies D DM1, HER DM2 and HER DM3 of the Arun Local Plan.

- 4 No 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 involving power tools or machinery on Sunday or Bank/Public Holidays. In addition to these hours of working, the Local Planning Authority may approve in writing a schedule of activities where it is necessary to conduct works outside the hours specified in this condition.

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

- 5 Before the restaurant is first brought into use, an acoustic assessment shall be undertaken to determine the impact of noise arising from the development site and the results of the assessment and details of any mitigation measures submitted and approved in writing by the Local Planning Authority. Noise from commercial premises should be controlled, such that the noise rating level (LA_r,Tr) emitted from the development does not exceed the background noise level (LA₉₀,T), by more than 3dB. All measurements shall be defined and derived in accordance with BS 4142:2014. The approved measures shall be implemented before the development is brought into use and thereafter be maintained in accordance with the approved details.

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

- 6 The sound insulation of the floor/ceiling between the ground and first floor shall achieve a minimum airborne sound insulation value of 50 dB (D_{nT,w} + C_{tr}). Before the restaurant is first brought into use, a test shall be undertaken by a competent acoustician and submitted to the Local Planning Authority to demonstrate compliance with this level.

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

- 7 The drainage serving the kitchen(s) at the commercial hot food restaurant business shall be fitted with a grease trap/separator of a proportionate capacity to effectively contain grease residue arising from the estimated numbers of hot meals served and waste water flow rate.

The applicant shall provide the Local Planning Authority with details of their proposed grease trap/separator in order to demonstrate design and installation will be in compliance with BS EN 1825-1:2004 and BS EN 1825-2:2002 (Current Status: 'Under Review') or other effective means of grease removal.

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

- 8 No commercial goods shall be loaded, unloaded, stored or otherwise handled and no vehicles shall arrive or depart, within the application site outside the hours 07:00 to 19:00 Monday to Friday, 08:00 to 18:00 Saturday or at any time on Sunday or Public or Bank Holidays.

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

INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by 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 granting of this planning permission does not in any way indemnify against statutory nuisance action

being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received.

INFORMATIVE: The restaurant use may require registration under the Food Safety Act 1990 and will need to comply with the standards (including sanitary facilities) contained in the relevant Food Hygiene Regulations prior to becoming operational. The applicant is advised to contact the Councils Food Safety team for further information - food.safety@arun.gov.uk or 01903 737755.

INFORMATIVE: A pavement licence may be required for the external seating area. Please see www.arun.gov.uk/pavement-licensing/.



Neil Crowther
Group Head of Planning

Case Officer: Mr S Davis

Decision Issued: 17th November 2021

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).