

DECISION NOTICE

Application Ref: A/26/21/RES

1 To Addressee

Dalton Warner Davis LLP
6 New Bridge Street
London
EC4V 6AB

2 Site Address

Land west of Brook Lane
and South of A259
Angmering
BN16 3JL

3 Description of Development

Approval of reserved matters following outline consent A/44/17/OUT for appearance, landscaping, layout & scale for the demolition of existing buildings on site & erection of a mixed use development comprising of 90 No. residential dwellings & a care home & ancillary facilities including railway crossing together with associated access, car parking & landscaping. This application also lies within the parishes of Rustington & Littlehampton.

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 approved shall be carried out in accordance with the following approved drawings:

3670-BRK-SRA-XX-XX-DR-A-04-010 Rev P07 Proposed Site Plan (issued 08-11-2021)
3670-BRK-SRA-XX-XX-DR-A-04-011 Rev P06 Proposed Site Levels (issued 08-11-2021)
3670-BRK-SRA-XX-XX-DR-A-04-015 Rev P06 Block Plan (issued 08-11-2021)
3670-BRK-SRA-XX-XX-DR-A-04-020 Rev P08 Housing Plan (issued 08-11-2021)
3670-BRK-SRA-XX-XX-DR-A-04-030 Rev P06 Tenure Plan
3670-BRK-SRA-XX-XX-DR-A-04-040 Rev P06 Housing Types
3670-BRK-SRA-XX-XX-DR-A-04-050 Rev P04 Parking Types
3670-BRK-SRA-XX-XX-DR-A-04-025 Rev P07 Site Plan Floor Layouts (issued 08-11-2021)
3670-BRK-SRA-XX-XX-DR-A-04-081 Rev P02 Existing Site Section CC & DD
3670-BRK-SRA-XX-XX-DR-A-04-083 Rev P02 Existing Site Section GG & HH
3670-BRK-SRA-XX-XX-DR-A-04-084 Rev P02 Existing Site Section JJ

3670-BRK-SRA-XX-XX-DR-A-04-090 Rev P05 Ancillary Building
 3670-BRK-SRA-XX-XX-DR-A-04-100 Rev P04 Care Home Site Plan (issued 19-11-2021)
 3670-BRK-SRA-XX-XX-DR-A-04-150 Rev P04 Care Home Ground Floor
 3670-BRK-SRA-XX-XX-DR-A-04-160 Rev P04 Care Home South West Elevation
 SRARUST(BROOKLN).1/02 Rev E Proposed Site Layout · Pedestrian Right of Way (issued 08-11-2021)
 176_801_P5 Illustrative Landscape Masterplan (issued 08-11-2021)
 176-001_P5 Landscape Plan (Location Plan for Landscape Plans) (issued 08-11-2021)
 176-002_P3 Landscape Plan
 176-003_P5 Landscape Plan (issued 08-11-2021)
 176-004_P5 Landscape Plan (issued 08-11-2021)
 176-005_P4 Landscape Plan
 176-006_P4 Landscape Plan
 176-007_P5 Landscape Plan (issued 08-11-2021)
 176-201_P4 Planting Plan
 176-202_P5 Planting Plan (issued 08-11-2021)
 176-203_P5 Planting Plan (issued 08-11-2021)
 176-204_P4 Planting Plan
 176-205_P4 Planting Plan
 176-206_P5 Planting Plan (issued 08-11-2021)
 176-401_P3 Tree Pit Details in Soft Landscape
 176-402_P3 Tree Pit Details in Hard Landscape
 176-403_P3 Bow Top Railing with Matching Gate Detail
 176-404_P3 Estate Railing Detail
 176-405_P3 Timber Fencing Detail
 176-406_P3 Tree Protective Fencing Detail
 176-SCH-001_P4 Planting Schedule
 3670-BRK-SRA-XX-XX-DR-A-04-005 Rev P03 Existing Site Plan
 3670-BRK-SRA-XX-XX-DR-A-04-060 Rev P01 Existing Site Section AA
 3670-BRK-SRA-XX-XX-DR-A-04-061 Rev P01 Existing Site Section CC & DD
 3670-BRK-SRA-XX-XX-DR-A-04-062 Rev P01 Existing Site Section EE
 3670-BRK-SRA-XX-XX-DR-A-04-063 Rev P01 Existing Site Section GG and HH
 3670-BRK-SRA-XX-XX-DR-A-04-064 Rev P01 Existing Site Section JJ
 3670-BRK-SRA-XX-XX-DR-A-04-080 Rev P01 Site Section AA
 3670-BRK-SRA-XX-XX-DR-A-04-082 Rev P01 Site Section EE
 3670-BRK-SRA-XX-XX-DR-A-04-151 Rev P02 Care Home First Floor
 3670-BRK-SRA-XX-XX-DR-A-04-152 Rev P03 Care Home Second Floor
 3670-BRK-SRA-XX-XX-DR-A-04-153 Rev P03 Care Home Roof Plan
 3670-BRK-SRA-XX-XX-DR-A-04-161 Rev P03 Care Home North West Elevation
 3670-BRK-SRA-XX-XX-DR-A-04-162 Rev P03 Care Home North East Elevation
 3670-BRK-SRA-XX-XX-DR-A-04-163 Rev P03 Care Home South East Elevation
 3670-BRK-SRA-XX-XX-DR-A-04-200 Rev P02 Plots 1-2 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-205 Rev P02 Plots 3-6 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-206 Rev P02 Plots 3-6 Roof Plans
 3670-BRK-SRA-XX-XX-DR-A-04-210 Rev P02 Plots 7-8 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-215 Rev P02 Plots 9-12 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-216 Rev P02 Plots 9-12 Roof Plan
 3670-BRK-SRA-XX-XX-DR-A-04-220 Rev P02 Plots 13-16 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-221 Rev P02 Plots 13-16 Roof Plans
 3670-BRK-SRA-XX-XX-DR-A-04-225 Rev P02 Plots 17-20 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-226 Rev P02 Plots 21 Plans
 3670-BRK-SRA-XX-XX-DR-A-04-230 Rev P02 Plots 17-20 Roof Plans

3670-BRK-SRA-XX-XX-DR-A-04-235 Rev P02 Plots 22-23-24 Plans
3670-BRK-SRA-XX-XX-DR-A-04-240 Rev P02 Plots 25 Plans
3670-BRK-SRA-XX-XX-DR-A-04-245 Rev P02 Plots 26-32 Plans
3670-BRK-SRA-XX-XX-DR-A-04-250 Rev P02 Plots 27-30 Plans
3670-BRK-SRA-XX-XX-DR-A-04-251 Rev P02 Plots 27-30 Roof Plan
3670-BRK-SRA-XX-XX-DR-A-04-255 Rev P02 Plots 31-68 Plans
3670-BRK-SRA-XX-XX-DR-A-04-260 Rev P02 Plots 33-34 Plans
3670-BRK-SRA-XX-XX-DR-A-04-265 Rev P02 Plots 35-36-37 Plans
3670-BRK-SRA-XX-XX-DR-A-04-270 Rev P02 Plots 38-39 Plans
3670-BRK-SRA-XX-XX-DR-A-04-275 Rev P02 Plots 40-43-60-61-77-78-87-88 Plans
3670-BRK-SRA-XX-XX-DR-A-04-280 Rev P02 Plots 44-47 Plans
3670-BRK-SRA-XX-XX-DR-A-04-285 Rev P02 Plots 48-51 Plans
3670-BRK-SRA-XX-XX-DR-A-04-286 Rev P02 Plots 48-51 Roof Plans
3670-BRK-SRA-XX-XX-DR-A-04-290 Rev P02 Plots 52-55-56-59 Plans
3670-BRK-SRA-XX-XX-DR-A-04-291 Rev P02 Plots 52-55-56-59 Roof Plans
3670-BRK-SRA-XX-XX-DR-A-04-295 Rev P02 Plots 62-67-69-76 Plans
3670-BRK-SRA-XX-XX-DR-A-04-300 Rev P02 Plots 79-86 Plans
3670-BRK-SRA-XX-XX-DR-A-04-305 Rev P02 Plots 89 Plans
3670-BRK-SRA-XX-XX-DR-A-04-310 Rev P02 Plots 90 Plans
3670-BRK-SRA-XX-XX-DR-A-05-200 Rev P02 Plots 1-2 Elevations
3670-BRK-SRA-XX-XX-DR-A-05-205 Rev P02 Plots 3-6 Elevations
3670-BRK-SRA-XX-XX-DR-A-05-210 Rev P02 Plots 7-8 Elevations
3670-BRK-SRA-XX-XX-DR-A-05-215 Rev P02 Plots 9-12 Elevations 2-1
3670-BRK-SRA-XX-XX-DR-A-05-216 Rev P02 Plots 9-12 Elevations 2-2
3670-BRK-SRA-XX-XX-DR-A-05-220 Rev P02 Plots 13-16 Elevations 1-2
3670-BRK-SRA-XX-XX-DR-A-05-221 Rev P02 Plots 13-16 Elevations 2-2
3670-BRK-SRA-XX-XX-DR-A-05-225 Rev P02 Plots 17-20 Elevations
3670-BRK-SRA-XX-XX-DR-A-05-230 Rev P02 Plots 21 Elevations
3670-BRK-SRA-XX-XX-DR-A-05-235 Rev P02 Plots 22-23-24 Elevations
3670-BRK-SRA-XX-XX-DR-A-05-240 Rev P02 Plots 25 Elevations
3670-BRK-SRA-XX-XX-DR-A-05-245 Rev P02 Plots 26 Elevations
3670-BRK-SRA-XX-XX-DR-A-05-250 Rev P02 Plots 27-30 Elevations
3670-BRK-SRA-XX-XX-DR-A-05-255 Rev P02 Plots 31-68 Elevations
3670-BRK-SRA-XX-XX-DR-A-04-230 Rev P02 Plots 21 Plans
3670-BRK-SRA-XX-XX-DR-A-04-235 Rev P02 Plots 22-23-24 Plans
3670-BRK-SRA-XX-XX-DR-A-04-240 Rev P02 Plots 25 Plans
3670-BRK-SRA-XX-XX-DR-A-04-245 Rev P02 Plots 26-32 Plans
3670-BRK-SRA-XX-XX-DR-A-04-250 Rev P02 Plots 27-30 Plans
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3670-BRK-SRA-XX-XX-DR-A-05-260 Rev P02 Plots 33-34 Elevations
3670-BRK-SRA-XX-XX-DR-A-05-265 Rev P02 Plots 35-36-37 Elevations
3670-BRK-SRA-XX-XX-DR-A-05-270 Rev P02 Plots 38-39 Elevations
3670-BRK-SRA-XX-XX-DR-A-05-275 Rev P02 Plots 40-43-60-61-77-78-87-88 Elevations
3670-BRK-SRA-XX-XX-DR-A-05-280 Rev P02 Plots 44-47 Elevations
3670-BRK-SRA-XX-XX-DR-A-05-290 Rev P02 Plots 52-55-56-59 Elevations
3670-BRK-SRA-XX-XX-DR-A-05-295 Rev P02 Plots 62-67-69-76 Elevations
3670-BRK-SRA-XX-XX-DR-A-05-300 Rev P02 Plots 79-86 Elevations
3670-BRK-SRA-XX-XX-DR-A-05-301 Rev P02 Plots 79-86 Gable Elevations
3670-BRK-SRA-XX-XX-DR-A-05-305 Rev P02 Plots 89 Elevations
3670-BRK-SRA-XX-XX-DR-A-05-310 Rev P02 Plots 90 Elevations
3670-BRK-SRA-XX-XX-DR-A-04-050-P02 Parking Types
SRARUST(BROOKLN).1/02 Revision C Pedestrian Right of Way

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Policy D DM1 and Policy D SP1 of the Arun Local Plan.

- 2 No development above damp proof course (DPC) level shall take place until a statement of architectural detail has been submitted to and been approved in writing by the Local Planning Authority. The 'statement of detail' shall be submitted setting out details of proposed windows and doors, details of the depth of recess/reveal from the brickwork, sills and lintels, brick bonding, brick detailing, eaves detailing and rainwater goods. The 'statement of details' so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in details in the interests of amenity by endeavouring to achieve buildings of visual quality in accordance with Policy D DM1 of the Arun Local Plan.

- 3 Notwithstanding the provisions of Class A, A.1, (g) within Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no rear extensions to the dwelling houses shall be erected within the curtilage of the dwellings hereby permitted unless planning permission is first granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with Policy D DM1 of the Arun Local Plan.

- 4 Landscaping (hard and soft) shall be carried out in accordance with the details hereby approved. All planting, seeding or turfing comprised in the approved details 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 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 in accordance with policy D DM1 and ENV DM4 of the Arun Local Plan.

- 5 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed buildings indicated on the approved elevation plans have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

- 6 Prior to occupation of the dwellings fire hydrants shall be installed in compliance with details showing the proposed location of the required fire hydrants which shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service.

The hydrants will be installed at the developer's expense in a phased programme and connected to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

The fire hydrant shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner / occupier if the installation is retained as a private network.

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, (BS5588 Part B 5) for further information please contact the Fire and Rescue Service.

Reason: In the interests of amenity and in accordance with policy INF SP1 and TSP1 of the Arun Local Plan and in accordance with The Fire & Rescue Service Act 2004.

- 7 Prior to occupation of the dwellings bollards shall be installed to the west and southern pedestrian/cycle access points in compliance with design details of the bollards which shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Highways and Public Rights of Way.

Reason: In the interests of amenity and in accordance with policy INF SP1 and TSP1 of the Arun Local Plan.

- 8 Prior to occupation of any of the dwellings signage in respect of cycling shall be provided in accordance with the submitted site plan SRARUST(BROOKLN).1/02 revE.

Reason: To reduce potential conflict between cyclists and pedestrians in accordance with policy T SP1 of Arun Local Plan.

INFORMATIVE: Any change to the legal line is subject to an application by the developer to Arun District Council to divert it via a Public Path Order (PPO) under Section 257 of the Town & Country Planning Act 1990 before works start. The WSCC PROW Team will be a formal consultee as part of this diversion Order application process and its prior agreement to a specification will be required before lending formal support to any diversion proposal.

A temporary closure of FP2160 will be necessary during development. Any temporary closure application for FP160 cannot be granted if development is planned over the current legal line as recorded on the Definitive Map unless the diversion has been legally confirmed first.

Development affecting the currently recorded legal lines of the footpaths must not begin until and unless the path has been formally accommodated else an offence is being committed and may invalidate any diversion Order procedure.

Neither Footpath 2159 or 2160 must be blocked, restricted, obstructed by vehicles, plant, scaffolding, the storage of materials, be made difficult to pass over or along or be unavailable at any stage to lawful path users without Temporary Closure Orders (TTRO) being applied for and approved. There is a cost associated with this, a 6 - 8 week lead time and advice on the process can be sought from WSCC's PROW Team. Please note that should closures be requested, the County Council will expect an alternative provision for members of the public to pass safely through the site given its size and location within the Rights of Way network.

Any damage to the footpaths needs to be rectified to the same or better standard than it was prior to any damage done during the development activity, to a specification agreed by West Sussex County Council as the Highway authority. No new structures, such as gates and stiles, are to be installed within the width of the PROW without the prior consent of the WSCC PROW Team. These will constitute an offence of obstruction under the Highways Act 1980. Any down pipes or soakaways associated with the development should discharge into an existing or new drainage system and away from the surface of the PROW. No drainage

system is to be installed through the surface of the path without the prior consent of the WSCC PROW Team.

Where the ground levels adjacent to the PROW are to be raised above existing ground levels, this could increase the potential to flood the path. A suitable drainage system must be installed adjacent to the path to a specification agreed with the WSCC PROW Team prior to development commencing.

Any alteration to or replacement of the existing boundary with the PROW, or the erection of new fence lines, must be done in consultation with the WSCC PROW Team to ensure the legal width of the path is not reduced and there is no unlawful encroachment.

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.



Neil Crowther
Group Head of Planning

Case Officer: Mrs A Gardner

Decision Issued: **30th 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).