



Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management
Procedure) (England) Order 2010 (as amended)
Application for Planning Permission
DECISION NOTICE

Application Ref: BE/37/14/PL

1 To Addressee

Gerald Eve LLP
 72 Welbeck Street
 London
 London
 W1G 0AY

2 Site Address

Units D1 and D2
 Arun Retail Park, Shripney Road

 PO22 9NF

3 Description of Development

The introduction of new (replacement) mezzanine floorspace of 485.9 sq. m within Unit D1 and a small extension of 13.3 sqm at ground floor level, the use of Unit D1 for food and drink sales without complying with condition 4 of planning permission BE/169/88, new shopfront and other facade works, tenant plant enclosure and other associated works. The change of use of Unit D2 from sui generis to Class A1 retail use including for clothes sales and an ancillary cafe, a side extension of 177.1 sqm and an 820.7 sqm mezzanine floorspace to Unit D2, facade works and other associated works at Arun Retail Park.

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 compliance with the conditions specified below.

- 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 Plan URBAR(08)0001 RevD00
 Existing Site Plan URBAR(08)0002 RevD00
 Proposed Site Plan URBAR(08)0003 RevD00
 Existing Ground Floor Plan URBAR(08)0004 RevD00
 Proposed Ground Floor Plan URBAR(08)0005 RevD00
 Existing Mezzanine Level Plan URBAR(08)1001 RevD00
 Proposed Mezzanine Level Plan URBAR(08)1002 RevD00
 Existing Roof Plan URBAR(08)2001 RevD00
 Proposed Roof Plan URBAR(08)2002 RevD00
 Existing Elevations URBAR(08)7001 RevD00
 Proposed Elevations URBAR(08)7002 RevD00
 Existing Sections URBAR(08)8001 RevD00
 Proposed Sections URBAR(08)8002 RevD00
- Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.
- 3 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roof of the proposed extension to the building have been submitted to and approved 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 by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.
- 4 The gross floorspace of Unit D1 hereby permitted shall not exceed 1452.2 square metres. The mezzanine floor of Unit D1 hereby permitted shall not be used for retail sales. No further additional floorspace shall be created, whether by extension or internal alterations including installation of mezzanine floorspace, unless approved in writing by the local planning authority.
- Reason: To ensure no adverse impact on Bognor Regis town centre in accordance with policy DEV27 of the Arun District Local Plan.
- 5 The gross floorspace of Unit D2 hereby permitted shall not exceed 1715.5 square metres. No further additional floorspace shall be created, whether by extension or internal alterations including installation of mezzanine floorspace, unless approved in writing by the local planning authority.
- Reason: To ensure no adverse impact on Bognor Regis town centre in accordance with policy DEV27 of the Arun District Local Plan.
- 6 The retail units D1 and D2 hereby permitted shall not be subdivided to create further retail units unless approved in writing by the local planning authority.
- Reason: To prevent unacceptable sub-division, and ensure that several small stores small enough to be accommodated in the existing town centre or the proposed new town centre developments are not created in accordance with policy DEV27 of the Arun District Local Plan.

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Unit D1 hereby permitted shall only be used for the sale and the display of the following goods:

- DIY Supplies;
- Electrical Goods;
- Gardening requirements;
- Floor Coverings;
- Household Hardware;
- Furniture;
- Car Accessories;
- Food and Drink (including ancillary goods thereto and an ancillary cafe/coffee shop).

And for no other purposes (including any other purpose in Class A1 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 as amended) without the prior permission in writing of the Local Planning Authority. Goods falling outside this range including seasonal goods may be sold only where they form a strictly minor and ancillary part of the proposed store's operation.

Reason: To protect town centre viability, in accordance with the NPPF and policies DEV26 and DEV27 of the Arun District Local Plan 2003

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Unit D2 hereby permitted shall only be used for the sale and display of the following goods:

- DIY Supplies
- Electrical Goods
- Gardening requirements
- Floor Coverings
- Household Hardware
- Furniture and Accessories
- Car Accessories
- Clothing footwear and accessories;
- An ancillary cafe/coffee shop (upto a maximum floorspace of 140 square metres)

Goods falling outside this range including seasonal goods may be sold only where they form a strictly minor and ancillary part of the proposed store's operation (ie no more than 20% of gross floorspace)."

And for no other purposes (including any other purpose in Class A1 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 as amended) without the prior permission in writing of the Local Planning Authority.

Reason: To protect town centre viability, in accordance with the NPPF and policies DEV26 and DEV27 of the Arun District Local Plan 2003

- 9 The retail stores shall only be open for trade between the hours of 07.00 and 23.00 Monday to Saturdays and will comply with the Sunday Trading Act 1994 (or subsequent replacement) on Sundays. Except for the week (7 days) immediately before Christmas Day and for the week (7 days) immediately before Easter Sunday, when the retail stores shall only be open for trade between the hours of 06.00 and 24.00 Monday to Saturday and will comply with the Sunday Trading Act (or subsequent replacement) on Sundays. Additionally the stores may for two days a year open between 00.01 and 24.00 (Weekdays and Saturdays only), including the weeks immediately before Christmas Day and Easter Sunday referred to above.

Reason: To comply with Arun District Local Plan policy GEN32, and to protect the amenity of the area.

- 10 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 submitted to and approved by the Local Planning Authority. The cycle parking so approved shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.



Karl Roberts
Assistant Director Planning & Economic Regeneration

Case Officer: Mr C Cronin

Date of Decision:

31 July 2014

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

NOTES RELATING TO PLANNING APPLICATION
TOWN AND COUNTRY PLANNING ACT 1990
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 First 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 your local planning authority's decision on your application, 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 your local planning authority's decision on your application, 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.

For all other cases, if you want to appeal, then you must do so within 6 months of the date of this notice using a form which you can get from the Secretary of State at the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or on line at www.planningportal.gov.uk/pcs

If this decision is a refusal relating to a minor commercial development, where the application was made on or after 1 October 2013, please note that you must appeal within 12 weeks of the date of this notice. For a definition of minor commercial development please refer to The Town and Country Planning (Appeals) (Written Representations Procedure and Advertisements) (England) (Amendment) Regulations 2013 or contact this office for clarification.

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.

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.

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.

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).