

DECISION NOTICE

Application Ref: BR/114/20/PL

1 To Addressee

AMdesign Architects
1 The Grove
Felpham
West Sussex
PO22 7EY

2 Site Address

13-17 Abbeyfield
Richmond Avenue
Bognor Regis
PO21 2YE

3 Description of Development

Conversion of existing vacant residential care home into 10 No. flats. This application is not CIL Liable as flats in Zone (Zero Rated).

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 following conditions and Section 106 Agreement.

- 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:
Proposed Floor Plans 313/03
Existing Floor Plans 313/02
Location and Block Plans 313/01
Construction Plan 313/07
Bin Store and Cycle Stores
Floor Plans and Elevations 313/06
Proposed Elevations 313/05
Existing Elevations 313/04

Reason: For the avoidance of doubt and in the interests of amenity and the environment in

accordance with policy of the Arun Local Plan.

- 3 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 in accordance with policy TSP1 of Arun Local Plan.

- 4 The conversion of the building/all development works shall be carried out in full accordance with the approved Construction Plan 313/07. There shall be no deviation from this plan other than with the written agreement of the Local Planning Authority.

Reason: To avoid undue congestion of the site and consequent obstruction to access in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 5 No development above damp proof course (DPC) level shall take place until details of the proposed screen walls/fences including the new boundary to nos.13-17 have been submitted to and approved by the Local Planning Authority and none of the new flats shall be occupied until such screen walls/fences associated with them have been erected.

Reason: In the interests of amenity and privacy in accordance with policy D DM1 of the Arun Local Plan.

- 6 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved details on drawings 313/06 "Bin and Cycle Stores". The approved cycle stores shall thereafter be permanently retained.

Reason: To ensure that adequate and satisfactory provision is made for the parking of bicycles in accordance with policies T SP1 & T DM1 of the Arun Local Plan and paragraphs 108-110 of the NPPF.

- 7 No part of the development shall be first occupied until the bin stores have been provided in accordance with the approved details on drawings 313/06 "Bin and Cycle Stores". The approved bin storage enclosures shall thereafter be permanently retained.

Reason: To ensure sufficient refuse facilities and to safeguard the appearance of the development & the amenities of the area in accordance with policies D DM1 and WM DM1 of the Arun Local Plan.

- 8 No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved drawing 288/03 Rev A "Proposed Plans". These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 9 Prior to the occupation of any of the flats, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved dwellings shall be submitted to the local planning authority for approval and thereafter implemented in accordance with the approved details and the charge points shall thereafter be permanently retained and maintained in good working condition.

Reason: New petrol and diesel cars/vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE

DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the National Planning Policy Framework.

- 10 None of the new flats shall be occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will incorporate decentralised, renewable and low carbon energy supply systems. The approved scheme shall thereafter be implemented prior to occupation of the dwelling and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: To ensure that the development is energy efficient and in accordance with policy ECC SP2 of the Arun Local Plan.

- 11 No construction / demolition activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no works taking place on Sunday or Bank Holidays unless they are not audible outside of the application site.

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

- 12 All of the proposed bathroom windows in the proposed accommodation shall be permanently obscure glazed.

Reason: To protect the amenities and privacy of existing adjacent and future occupiers in accordance with policies D DM1 and QE SP1 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 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 that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover license shall be granted. Additional information about the licence application process can be found at the following web page:

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>

Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-applicationform/>

INFORMATIVE: This decision has been granted with a s106 legal agreement relating to a contribution of £6,968 towards the provision of accessible natural open green spaces to serve the Pagham area, £3,767 towards the community sports hub to be provided at West of Bersted, £1,400 towards the community sports hub to be provided at West of Bersted and £4,052 towards wet side shower provision at a new leisure centre for the district, £19,710.00 for offsite POS and £17,303.00 for offsite Play.



Neil Crowther
Group Head of Planning

Case Officer: Mrs A Gardner

Decision Issued: **8th February 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).