



Town & Country Planning Act 1990 (as amended)
Town & country Planning (Development Management
Procedure) (England) Order 2015 - Article 5
Application for Outline Consent
DECISION NOTICE

Application Ref: BR/142/18/OUT

1 To Addressee

Mr Alex Burrows
 34 The Drive
 Bognor Regis

 PO21 4DU

2 Site Address

Richmond Arms
 224 London Road

 PO21 1AU

3 Description of Development

Outline application with all matters reserved for the demolition & conversion of existing public house (with residential accommodation to 1st floor) to form up to 10 No. residential flats over a maximum of 3.5 storeys.

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 permission hereby granted is an outline permission under s92 of the Town and Country Planning Act 1990 (as amended) and an application for the approval of the Local Planning Authority to the following matters must be made not later than the expiration of 2 years beginning with the date of this permission:-

- (a) Layout;
- (b) Scale;
- (c) Appearance;
- (d) Access;
- (e) Landscaping.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 3 The development hereby approved shall be carried out in accordance with the following approved plans:

Location Plan (Jan 2010) Job Number RA; and
Site Plan (Jan 2010) Job Number RA.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy SD SP2 and D DM1 of the Arun Local Plan.

- 4 Unless otherwise agreed in writing with the Local Planning Authority, the development permitted by this planning permission shall only be carried out with finished floor levels set above the predicted surface water flood levels.

Reason: As requested by drainage engineers due to the site being located within an area of surface water flood risk and to reduce the risk of flooding to the proposed development and future occupants all in accordance with Arun Local Plan policy W DM3 and the National Planning Policy Framework.

- 5 Development shall not commence until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.

No building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because the site lies in an area of high risk from surface water flooding and therefore, it is necessary to implement the agreed surface water drainage so that it is ready for when the flats are occupied.

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No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
- the provision of hoardings to the site if required,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area in accordance with policies T DM1, D DM1 and QE SP1 of the Arun Local Plan. This is required to be a pre-commencement condition because it is necessary to have the site set-up agreed prior to access by construction traffic.

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: Drainage Engineers advise that Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE 365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 30% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Supplementary guidance notes are available on our website <https://www.arun.gov.uk/surfacewater> and are also available on request.

INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to a financial contribution of £7,839 towards the Pagham Harbour Access Management Mitigation Measures.

INFORMATIVE: Please note the following comments of Sussex Police's Designing Out Crime Officer in respect of cycle storage, bin storage and mail boxes:

- For (internal) bicycle storage within the building, the external door must be fit for purpose and have access control;
- However, if there is internal access to the living accommodation, the internal door must meet specifications within

PAS24:2016;

- The bicycle store must be separated from the bin store with a floor to ceiling sturdy wall or dividing construction;
- If there is no internal access to the cycle store the external door must have access control including an internal thumb turn to allow a person who may become accidentally trapped to release the door lock from the inside;
- The cycle store must also be illuminated with movement activated vandal resistant lighting;
- These recommendations also apply to the internal bin store;
- The postal arrangements for the flats should be through the wall, external or lobby mounted secure post boxes; and
- Letter apertures within the flats' front doors should not be considered.

INFORMATIVE: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.

INFORMATIVE: Please note the following advice from Council Environmental Health Officers:

- The Noise and Vibration Assessment (Acoustic Associates, J2473, 11/6/18) states that if windows are kept closed and appropriate glazing/mechanical ventilation is put in place, BS8233 will be met;
- However, with windows open, BS8233 will not be met either during the day or the night-time;
- Further, for any bedrooms on the railway facade, glazing capable of RRAIL = 45dB would need to be provided to satisfy the night-time LAmax requirements of the ProPG;
- ProPG states that Good Acoustic Design is appropriate in cases such as this, where acoustic design and orientation of the building should be considered as a fundamental part of the design process, and not just an add-on at the end;
- When a detailed application is submitted, Environmental Health would expect to see the premises designed to ensure that non-habitable rooms are facing the noisiest facades (in this case the railway) and as such, provide a buffer to protect the habitable rooms; and
- It is also likely at the point of detailed application that Environmental Health would require a 'noise testing before first occupation' type condition to be applied.

INFORMATIVE: Please have regard to the comments made by Network Rail on 03 August 2018 in respect of Future Maintenance, Drainage, Plant & Materials, Scaffolding, Piling, Fencing, Lighting, Noise & Vibration and Vehicle Incursion as set out in their consultation comments present on the Council's website. Network Rail also strongly recommends that the developer contacts AssetProtectionKent@networkrail.co.uk prior to any works commencing on site, and also to agree an Asset Protection Agreement with us to enable approval of detailed works. More information can also be obtained from their website at <https://www.networkrail.co.uk/communities/lineside-neighbours/working-by-the-railway/>

Case Officer: Mr S Davis

Date of Decision:

16 January 2019



Neil Crowther
Group Head of Planning

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 12 weeks 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.

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).

