

DECISION NOTICE

Application Ref: BR/257/19/PL

1 To Addressee

Mr Simon Randell
Halls Orchard Barn
Oak Lane
Apuldram
CHICHESTER
PO20 7FD

2 Site Address

The Royal Hotel
The Esplanade
Bognor Regis
PO21 1SZ

3 Description of Development

Refurbishment, external alterations, extensions & reconfiguration of previously permitted conversion to rebuild ground floor A3 restaurant & provide a total of 27 flats. This application affects the character & appearance of The Steyne, Bognor Regis, Conservation Area (resubmission of BR/326/18/PL)

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:

169/3.000 "Location Plan";
169/3.010 "Site & Block Plan";
169/3.202 Rev 03 "Proposed North Elevation";
169/3.201 Rev 02 "Proposed West Elevation";
169/3.200 Rev 02 "Proposed South Elevation";
169/3.100 Rev 03 "Proposed Lower Ground Floor Plan"
169/3.101 Rev 04 "Proposed Ground Floor Plan";

169/3.102 Rev 04 "Proposed First Floor Plan";
169/3.103 Rev 03 "Proposed Second Floor Plan";
169/3.104 Rev 03 "Proposed Third Floor Plan";
169/3.105 Rev 02 "Proposed Fourth Floor Plan";
169/3.106 Rev 03 "Proposed Roof Plan";
169/3.901 "External Materials";
169/3.903 Rev 01 "Window Details"; and

Email dated 08/04/2019 @ 13:25 confirming that the render is to be RAL colour 9003 (Signal White) in a smooth finish; and that all windows will have operable sliding sash function.

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

- 3 No development shall take place, including any works of demolition, until a Construction & Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority (who shall consult with West Sussex County Council and the Councils Environmental Health Officers). 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

- an indicative programme for carrying out of the works;
- the anticipated number, frequency and types of vehicles used during construction;
- 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, including permitted times for deliveries;
- the storage of plant and materials used in construction of the development;
- the erection and maintenance of security hoarding, including decorative displays and facilities for public viewing, where appropriate;
- 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 the arrangements for public engagement / consultation both prior to and continued liaison during the construction works;
- Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s);
- measures to control the emission of dust and dirt during construction;
- Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination; and
- a scheme for recycling / disposing of waste resulting from demolition and construction works.

Reason: In the interests of the amenity of the occupiers of any nearby noise sensitive premises, the general amenities of the area and in the interests of highway safety in accordance with policies D DM1, QE SP1, QE DM1, QE DM2, QE DM3 and T SP1 of the Arun Local Plan and the National Planning Policy Framework. 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 staff. This was agreed by the applicant on the previous application ref BR/326/18/PL.

- 4 None of the approved balcony railings shall be installed unless and until details of their proposed height, finish (colour) and manufacturer/model name have been submitted to and agreed in writing by the Local Planning Authority. The approved balconies shall thereafter be installed in accordance with the agreed details and retained in good condition thereafter.

To enable the Local Planning Authority to control the appearance of the building in detail in the interests of visual amenity and the character/appearance of the Conservation Area in accordance with policies HER SP1, HER DM2 & HER DM3 of the Arun Local Plan and the National Planning Policy Framework.

- 5 No part of the development shall be first occupied until covered and secure cycle storage spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority. Such approved cycle storage spaces shall thereafter be retained in good working condition.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and policy T SP1 of the Arun Local Plan.

- 6 No part of the development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport in accordance with policy T SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 7 Prior to the first operation of the new class A3 premises, a scheme and maintenance schedule for the extraction and treatment of fumes and odours generated from cooking or any other activity undertaken on the class A3 premises, shall be submitted to and approved in writing by the Local Planning Authority. Any equipment, plant or process provided or undertaken in pursuance of this condition shall be installed prior to the first operation of the premises and these shall thereafter be operated and permanently retained in good working order and in compliance with the approved scheme.

To protect the amenity of local residents in accordance with policies QE DM1 and QE SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 8 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 flats 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.

- 9 The class A3 restaurant use hereby permitted shall not be carried on unless and until details of a suitable provision of sanitary accommodation (in line with the guidelines set out within the Arun District Council document entitled: 'Provision of sanitary accommodation in food businesses') has been submitted to and approved in writing by the Local Planning Authority. The approved sanitary provision shall thereafter be implemented in accordance with the agreed details and permanently retained in good working condition.

Reason: In the interests of maintaining adequate amenity to future customers and employees in accordance with policies QE DM1 and QE SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 10 Details, including acoustic specifications, of all fixed plant, machinery and equipment associated with air moving equipment including fans, ducting and external openings, compressors, generators or plant or equipment of a like kind, installed within the site which has the potential to cause noise disturbance to any noise sensitive receivers, shall be submitted to and approved by

the Local Planning Authority before installation of such plant/machinery/equipment. The rating level of noise emitted from the use of this plant, machinery or equipment shall not exceed the measured background sound level when assessed by a competent acoustician using BS 4142:2014, at any adjoining or nearby noise sensitive premises. The approved plant/machinery/equipment shall thereafter be implemented in accordance with the agreed details and permanently retained in good working condition.

Reason: To protect the amenity of local residents in accordance with policies QE DM1 and QE SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 11 All bathroom/toilet windows shall be permanently glazed with obscured glass or have obscure film permanently applied.

Reason: To protect the amenities and privacy of future occupiers and of the adjacent properties in accordance with policy D 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: This decision is subject to the Section 106 legal agreement which was signed and agreed in respect of the original planning application ref BR/326/18/PL and which related to:

- (1) A contribution of £36,800 towards the provision of affordable housing elsewhere in the district; and
- (2) A contribution of £14,807 towards the provision of accessible natural open green spaces to serve the Pagham area.

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 via the following link: <https://beta.southernwater.co.uk/infrastructurecharges>.

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.

For further information please contact the Environmental Health Department on 01903 737500

INFORMATIVE: The business is required to apply to the Arun District Council Licensing Team for an operative and / or premises licence before trading. Please contact the Arun District Council Licensing Team Manager at licensing@arun.gov.uk or on (01903) 737755 for further information.

INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to:

- (1) A contribution of £36,800 towards the provision of affordable housing elsewhere in the district; and
- (2) A contribution of £14,807 towards the provision of accessible natural open green spaces to serve the Pagham area.

Neil Crowther



Group Head of Planning

Case Officer: Mr S Davis

Decision Issued: **3rd January 2020**

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).