



Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management
Procedure) (England) Order 2015
Application for Planning Permission
DECISION NOTICE

Application Ref: BR/263/18/PL

1 To Addressee

Mr Simon Randell (Randell Design Group Ltd)
Halls Orchard Barn
Oak Lane
Chichester
West Sussex
PO20 7FD

2 Site Address

St Josephs
Albert Road

PO21 1NJ

3 Description of Development

Application for variation of conditions following grant of planning permission BR/348/16/PL relating to Condition 2 (Block plan & smoking shelter) and Condition 9 (smoking shelter materials)

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 plans:

Location Plan dwg. 129/2.000 Rev 07;
 Block/Site Plan dwg. 129/2.010 Rev 06;
 Ground Floor Amendments Plans dwg. 129/2.050 Rev 03;
 1st Floor Amendments Plans dwg. 129/2.051 Rev 03;
 2nd Floor Amendments Plans dwg. 129/2.052 Rev 03;
 3rd Floor Amendments Plans dwg. 129/2.053 Rev 03;
 Proposed East & North Elevations - Blackbird Cottage dwg. 129/2.210 Rev 03;
 Proposed West & South Elevations - Blackbird Cottage dwg. 129/2.209 Rev 03;
 St Josephs: Proposed West Elevation Plan dwg. 129/2.208 Rev 05;
 St Josephs: Proposed East Elevation Plan dwg. 129/2.207 Rev 03;
 St Josephs: Proposed North Elevation Plan dwg. 129/2.205 Rev 03;
 St Josephs: Proposed South Elevation Plan dwg. 129/2.206 Rev 03;
 Essex House: Proposed South Elevation Plan dwg. 129/2.202 Rev 03;
 Essex House: Proposed W & E Elevations Plan dwg. 129/2.203 Rev 03;
 Essex House: Proposed North Elevation Plan dwg. 129/2.204 Rev 03;
 Landscape Plan dwg. 129/2.105 Rev 02;
 Proposed Ground Floor plan dwg. 129/2.030 Rev 12;
 Proposed First Floor Plan dwg. 129/2.031 Rev 12;
 Proposed Second Floor Plan dwg. 129/2.032 Rev 11;
 Proposed Third Floor Plan dwg. 129/2.033 Rev 11;
 Conservatory: Proposed South & West Elevation Plan dwg. 129/2.211;
 Conservatory: Proposed East & North Elevation Plan dwg. 129/2.212;
 Construction Management Plan ref 129/4.002 Rev 01;
 Vehicular Movement Plan ref 129/4.003 Rev 00;
 Smoking Shelter Floors & Elevations plans dwg. P129/SK01 Rev 02 (13/09/18); and
 Schedule of Materials Ref P129 Rev 03.

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

- 2 When the premises cease to be occupied by Bourne Leisure (Butlins), the House in Multiple Occupation (HMO) use hereby permitted shall cease and any subsequent use of the site would require a further planning permission.

Reason: In granting permission, the Local Planning Authority has had regard to the particular circumstances relating to the proposal and to the mitigation measures proposed by Butlin's in accordance with policy D DM1, QE SP1, QE DM1 and QE DM2 of the Arun Local Plan.

- 3 The bin stores as provided in accordance with the approved plans and drawings shall be permanently retained.

Reason: To safeguard the appearance of the site and the amenities of the area in accordance with policies D DM1 and QE SP1 of the Arun Local Plan.

- 4 The car parking spaces as constructed in accordance with the site plan (ref 129/2.010 Rev 04 - approved by BR/341/17/PL) shall be retained at all times for their designated purpose.
- Reason: To provide car-parking space for the use in accordance with policies D DM1 and T SP1 of the Arun Local Plan.
- 5 The covered and secure cycle parking spaces as constructed in accordance with the drawings approved by BR/341/17/PL shall be permanently retained and maintained.
- Reason: In the interests of highway safety and the adequate provision of cycle parking facilities in accordance with policies D DM1, T SP1 and T DM1 of the Arun Local Plan.
- 6 The Applicant shall continue to monitor, report back to WSCC and subsequently revise the approved travel plan (JMP/ST17469 Rev 3 - February 2017) as necessary in accordance with section 9.0 of the approved Travel Plan document.
- Reason: To encourage and promote sustainable transport in accordance with policies T SP1 and T DM1 of the Arun Local Plan.
- 7 The proposed external alterations which comprised of brickwork to subdivide existing windows, brickwork to convert doors into windows, brick work or timber to bin stores, the repair of rendered walls and the new smoking shelter shall be constructed in accordance with the submitted Schedule of Materials Ref P129 Rev 02 except, in the case of the smoking shelter, in accordance with drawing P129/SK01 Rev 02 (13/09/18).
- Reason: In the interests of amenity in accordance with policies D DM1 and D SP1 of the Arun Local Plan.

The development permitted by this planning permission shall only be carried out in accordance with the submitted Acoustic Assessment Report by RBA Acoustics (Ref 7727/AAR-Rev 4, 08/01/18) and the "St Joseph's, Essex House (1-2 Walton Road) and Blackbird Cottage Management Plan" by Butlins (both as approved by BR/341/17/PL) and in particular the following noise mitigation measures detailed within these documents:

Acoustic Report:

- (1) Use of the rear garden/smoking shelter will be restricted to 2 people at a time between 22:00 to 07:00 hours and St Joseph's residents will be encouraged to keep conversation to a minimum during these times. Signage will be used to instruct this and will be overseen by site management;
- (2) The windows, including rooflights, belonging to the rooms located on the south facing elevation of St. Joseph's, which overlook Las Arenas (room numbers 0.14, 0.17, 0.18 and 0.20) will be sealed shut;
- (3) The use of the entrance located on Walton Avenue will be restricted between 19:00 - 07:00 hours. Residents will instead be advised to use the remaining entrances located on Walton Road and Albert Road;
- (4) The use of the conservatory located in the rear garden area will be restricted to between 08:00 and 19:00 hours;
- (5) The shuttle bus will operate between the hours of 07:00-10:00 and 18:00-23:30 and will be of a low noise (hybrid or electric powered) type vehicle;
- (6) Shuttle bus drivers will be instructed to switch off the engine during pick-up and drop-off;
- (7) St. Joseph's residents will be required to wait indoors for the shuttle bus between the hours of 19:00 and 07:00 hours. Signage will be used to instruct this and will be overseen by site management;
- (8) No more than three visits per hour to St. Joseph's will be made by the Shuttle bus;
- (9) An online booking system will be in place to ensure there are no unnecessary trips between the two sites. This will be monitored and subject to review as required;
- (10) An acoustic barrier formed of a solid material with a minimum surface density of 10kg/m² and approximately 2m high/5m in length, will be installed to the southern boundary of the driveway in order to provide acoustic screening to Las Arenas as shown on the submitted Block/Site Plan ref 129/2.010 Rev 03; and
- (11) Both communal rooms S3.01 and E2.08 can be used 24 hours a day/7 days a week providing they are well managed and have a noise management plan in place. Loud electronically amplified music should not be allowed in these spaces and signage should be displayed requesting residents not to shout and to keep raised speech minimal, particularly if the rooms are at high capacity.

Management Plan:

- (1) New team members who live on the resort to sign an Accommodation Agreement which sets out rules and regulations concerning the use of accommodation;
- (2) Setting of a quiet time between 22:00 hours and 07:00 hours including no loud music and no gathering of residents in groups;
- (3) Access will be from the main (front) entrance to each building from Albert Road, Walton Road and Walton Avenue accordingly - all other exits will be alarmed and can only be used in the event of a fire or drill;
- (4) There will be no access to Blackbird Cottage via Walton Avenue between the hours of 7pm - 7am;

- (5) Team members will not be permitted to allow visitors to stay overnight in their accommodation;
- (6) All visitors to St Joseph's, Essex House (1-2 Walton Road) and Blackbird Cottage must be pre-authorised by the Team Accommodation Manager and will be signed in/out;
- (7) A 3 strikes rule will be applied to the Accommodation Agreement and if a team member breaches the agreement 3 times, their agreement will be terminated and they will be required to leave their accommodation;
- (8) A Team Accommodation Manager will reside on site and will be supported by a dedicated resort safety team providing 24-7 cover from the main resort; and
- (9) No personal deliveries will be made to the team accommodation.

The mitigation measures shall be fully implemented prior to occupation and adhered to permanently thereafter. There shall be no deviation from these mitigation measures without approval in writing from the Local Planning Authority.

Where it is not possible for reasons of ventilation to seal shut windows (including rooflights) belonging to the rooms located on the south facing elevation of St. Joseph's, which overlook Las Arenas, additional noise mitigation measures should be agreed in writing with the Local Planning Authority and implemented prior to the occupation of the St Josephs building.

Reason: In the interests of the amenities of the area and of neighbouring residential properties in accordance with policies D DM1, QE SP1, QE DM1, QE DM2 and QE DM3 of the Arun Local Plan.

- 9 The development hereby permitted shall incorporate those measures to minimise the risk of crime as set out in the letter from the Sussex Police Crime Prevention Design Adviser dated 31/01/17 and as received in response to Application BR/348/16/PL. These measures shall then be retained permanently and maintained in good working order.

Reason: In the interests of reducing the fear of and opportunity for crime in accordance with Policy D DM1 of the Arun Local Plan and the National Planning Policy Framework.

- 10 No external lighting shall be installed on the site other than in accordance with the submitted External Lighting Statement by CDI (December 2016, rev 1). The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area and of neighbouring residential properties in accordance with policies D DM1 & QE DM2 of the Arun Local Plan.

- 11 All bathroom/en-suite windows within the building shall continue to be glazed with obscured glass or be fitted with obscure glazing film which shall be permanently retained thereafter

Reason: To protect the amenities and privacy of the adjoining properties in accordance with policies D DM1 and AE SP1 of the Arun Local Plan.

INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015 (as amended). 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 property will, when occupied, become a House in Multiple Occupation and will need to comply with the relevant fire safety and fitness for occupation standards under current Housing Acts. The applicant is advised to contact our Environmental Health Private Sector Housing Team for further information.



Neil Crowther
Group Head of Planning

Case Officer: Mr S Davis

Date of Decision:

6 March 2019

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