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/264/22/PL

1 **To Addressee**

RBA Architects Ltd
46 Wimborne Road
Southsea
PO4 8DE

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2 **Site Address**

98-100 Chichester Road
Bognor Regis
PO21 5AA

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3 **Description of Development**

Variation of condition imposed on BR/315/19/PL relating to Condition 2 - approved plans.

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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 the previous permission BR/315/19, namely 17/06/2020.

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:

Dwg No P14, Location and Block Plan
Dwg No P01, Site Location Plan
Dwg No 2.002 Rev C1

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

3 The materials and finishes of the external walls and roof of the extension hereby permitted shall match in colour and texture those of the existing building.

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

4 The glazed screen of the proposed terrace on the north/west elevation of the building shall be

erected prior to the flat first being used. It shall at all times be glazed with obscured glass and be 1.8m high on the sides facing to the north and to the west.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy D DM1(3) of the Arun Local Plan.

5 A scheme shall be submitted for approval by the Local Planning Authority to demonstrate that the sound pressure level from the heat pump will not be greater than 42dBA at the facade of the nearest sensitive receptor. The scheme shall include technical specifications and a plan illustrating the location for the proposed heat pump and any sound mitigation measures required to achieve 42dBA at the facade of the nearest sensitive receptor. The approved scheme shall be implemented and maintained thereafter.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Arun Local Plan.

6 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the NPPF) unless it can be demonstrated that a fabric-first approach would achieve an equivalent energy saving. Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority before any development above damp proof course (DPC) level begins. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to secure on site renewable energy in accordance with national planning policy, and in accordance with Policy ECC SP2 of the Arun Local Plan.

7 Within 3 months of commencement of development details of improvements to secure biodiversity net gain shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be completed within a month of 1st occupation of hereby approved flats and retained thereafter.

Reason: In accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to a contribution of £871 towards the cost of delivering measures to avoid or mitigate to an acceptable level, the harm caused to Pagham Harbour by the Development.

Neil Crowther
Group Head of Planning

Case Officer: Ms M Tomalova

Arun District Council
The Arun Civic Centre

Decision Issued: 18th January 2023

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).