TOWN AND COUNTRY PLANNING ACT 1990

ARUN DISTRICT COUNCIL

DECISION NOTICE

Application Ref: BR/345/10/

1 **To Addressee**

Mr Jeremy Sayer
PWP Architects
61 South Street
Havant
Hampshire
PO9 1BZ

2 **Site Address**

Butlins
Upper Bognor Road
Bognor Regis
PO21 1JJ

3 **Description of Development**

Demolition of 5 no. 2 storey rows of chalets & construction of new hotel with associated car parking, landscaping, security kiosk & creation of new access from High Street

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 plan and subject to compliance with the conditions specified.

CONDITION 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).

CONDITION 2 The development hereby approved shall be carried out in accordance with the following approved plans :-

Drawing Name Drawing Number
PWP Architects Ltd
View From The South East 4648/1060 revA
View From The South West 4648/1061 revA
Site Layout Plan 4648/1100 revF
Topographical Survey 4648/1101 revA
Existing Site Location Plan 4648/1111 revB
Ground Floor Plan 4648/1200 revL
1st and 2nd Floor Plans 4648/1201 revH
3rd and 4th Floor Plans 4648/1202 revH
5th and 6th Floor Plans 4648/1203 revH
7th and Roof Floor Plans 4648/1204 revB
Section AA 4648/1300 revA
Section BB 4648/1301 revA
North East and North West Elevations 4648/1400 revD
South West and South East Elevations 4648/1401 revC
Entrance Hut Plan and Elevations 4648/1402 revA

Andrew Davis Partnership
General Layout Surface Finishes W1374/1001
General Layout Detailed Landscape Proposals W1374/1002
General Layout Lighting Proposals W1374/1003
Entrance Statement Detailed Landscape Proposals W1374/1004
Water Terrace Detailed Landscape Proposals W1374/1005
Water Terrace Indicative Sections W1374/1006
Entrance Indicative Landscape Treatment W1374/1008

B.J. Unwin Forestry Consultancy
Root Protection Areas
Tree Plan
Theoretical Shading
Tree Retention and Protection Plan

Additional Drawings
PWP Architects Ltd
Hotham park site sections 4648/1070 revA

Andrew Davis Partnership
High street access - Concept landscape proposals W1374/CP03 revB

PFA Consulting
Forward visibility into access B491/11 Rev A
B491/01 Rev C

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

CONDITION 3 No development shall be carried out unless and until a schedule of materials and finishes to be used for external walls of the proposed building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

CONDITION 4 The development shall not proceed until details of the proposed foul water drainage system have been submitted to and approved by the Local Planning Authority.

No building shall be occupied until the foul drainage works have been carried out in accordance with the agreed details.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7, GEN9 of the Arun District Local Plan.

CONDITION 5 Development shall not commence until a surface water drainage scheme for the site, based on sustainable drainage principles, and including an assessment of the hydrological and hydro geological context of the development has been submitted to and approved in writing by the Local Planning Authority. Proposals must include a "Surface water Management Statement, or a SUDS Design Statement" detailing the management train processes. The submission shall also include details of how the scheme will be maintained and managed after completion.
The drainage scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To ensure that the development is satisfactorily drained in accordance with policies GEN7, GEN9 of the Arun District Local Plan.

CONDITION 6 The existing trees/bushes/hedges around the proposed access, except for those agreed to be removed, shall be/retained/protected in a manner to be agreed with the Local Planning Authority before the development commences for the duration of the development and shall not be damaged, destroyed, uprooted, felled, lopped or topped during that period without the previous written consent of the Local Planning Authority. Any trees removed without such consent or dying or being seriously damaged or becoming seriously diseased during that period shall be replaced in the following planting season with trees of such size and species as may be agreed with the Local Planning Authority.

Reason: To ensure the retention of vegetation important to the visual amenity and for the environment of the area in accordance with policy GEN7 of the Arun District Local Plan.

CONDITION 7 Landscaping (hard and soft) shall be carried out in accordance with the details shown on plans W1374 1002. 1003, 1004 and 1005. All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

CONDITION 8 No work shall be carried out on the site unless and until an effective vehicle wheel-cleaning facility has been installed in accordance with details approved by the Local Planning Authority and such facility shall be retained in working order and operated throughout the period of work on the site to ensure that vehicles do not leave the site carrying earth and mud on their wheels in a quantity which causes a nuisance or hazard on the road system in the locality.

Reason: In the interests of road safety in accordance with policy GEN7 of the Arun District Local Plan.

CONDITION 9 The building hereby permitted shall not be occupied until an updated Travel Plan from that agreed under planning permission BR/21/08 for the Spa hotel has been submitted to and approved in writing by the local planning authority and operated as approved.

Reason: To accord with sustainable travel policies in accordance with policy GEN7 of the Arun District Local Plan.

CONDITION 10 An archaeological investigation shall be carried out within the site at the expense of the developer in accordance with a specification to be submitted to and agreed by the local planning authority in writing and before the commencement of building works.

Reason: In order to ensure that the archaeological features on the site will be properly recorded before development in accordance with policy AREA 17 and PPS5.

CONDITION 11 Before development is commenced, a pre-construction field survey shall be undertaken measuring the existing television signal strength and reception quality of both digital and analogue services in the area identified in the desk study. Following the erection of the building, a post construction survey shall be undertaken, and the mitigation and complaints procedure of the submitted JWD Ltd Protocol in paragraph 2.4 be instigated.

Reason: To ensure that the enjoyment of nearby properties is not adversely affected in accordance with policy GEN7 of the Arun District Local Plan.

CONDITION 12 The building shall not be occupied until the parking spaces shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policy GEN7 of the Arun District Local Plan.

CONDITION 13 The proposed vehicular access onto the High Street, hereby approved, shall be used by construction traffic only and thereafter only by vehicular traffic arising from the proposed hotel. The vehicular access to the High Street shall at no times, other than in emergencies, be used as an access or egress to serve any other development within the site.

Reason: In the interests of highway capacity and safety in accordance with PPG13 Transport.

CONDITION 14 The proposed vehicular access onto the High Street, hereby approved, shall not be commenced until such time as plans and details showing the provision of visibility splays either side of the proposed site access where this meets the existing footway/cycleway have been submitted to and approved in writing by the Local Planning Authority. The visibility splays once approved shall be provided prior to the commencement of use of the access, and thereafter be retained in perpetuity.

Reason: In the interests of highway safety and to address the concerns raised within the Stage 1 Safety Audit in accordance with PPG13 Transport.

CONDITION 15 Specific details of the renewable energy proposals showing how at least 10% of the energy from decentralised and renewable or low carbon sources can be achieved shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.

Reason: To ensure compliance with policy NMR11 of the South East Plan.

INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY
This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN7, GEN9, GEN10, GEN11, GEN12, GEN2,

NATIONAL POLICIES: PPS1, PPG13, PPS5, PPS25

SOUTH EAST PLAN: CC1, CC2, CC4, T4, NRM4, NRM11

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

INFORMATIVE: The building shall not be occupied until the crossing between the boundary of the site and the adjoining carriageway has been laid out and constructed to a specification to be agreed with the West Sussex County Council. Details of the specification may be obtained from the Area Engineer, West Sussex County Council, Area 1, Drayton Depot, Drayton Lane, Chichester. Telephone: 01243-836900 or from West Sussex County Council, County Surveyors Department, County Hall, Chichester. Telephone: 01243-777921.

INFORMATIVE: The West Sussex County Council as Highway Authority would remind applicants that they may have to provide on the application site, areas for the parking and unloading of vehicles, temporary contractor buildings, plant and stacks of materials as the use of the adjacent public highway for these purposes may not be acceptable under the

terms of the Highways Act.

INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.

INFORMATIVE: The applicant is advised that, as from 6 April 2008, the submission of a 'Site Waste Management Plan' (SWMP) is mandatory for all construction projects in England with a project cost greater than £300,000 (excluding VAT) under the provisions of Section 54 of the Clean Neighbourhoods and Environment Act 2005. Further information on the requirements of SWMPs and how they should be applied in practice can be obtained from DEFRA, 6/F7 6D, Ergon House, Horseferry Road, London, SW1P 2AL, Tel. (0207) 2384847 or at their website: www.defra.gov.uk/constructionwaste

Case Officer: Mr K Wheway

Head of Planning Services
Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

Date of Decision: **9th March 2011**

Date Decision Issued: **10th March 2011**



Karl Roberts
Assistant Director Planning Services &
Housing Strategy

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

NOTES RELATING TO PLANNING APPLICATION
TOWN AND COUNTRY PLANNING ACT 1990

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 First 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, if you want to appeal against your local planning authority's decision on your application, 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 if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in case of a householder appeal) of the date of this notice, whichever period expires earlier.

If you want to appeal, then you must do so within 6 months of the date of this notice using a form which you can get from the Secretary of State, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or on line at www.planningportal.gov.uk/pcs

The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

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).