

DECISION NOTICE

Application Ref: BR/48/22/PL

1 To Addressee

AMdesign Architects
1 The Grove
Felpham
PO22 7EY

2 Site Address

13-17 Richmond Avenue
Bognor Regis
PO21 2YE

3 Description of Development

Conversion of existing loft space into 2 No. flats. This application is in CIL Zone 4 (Zero rated) as flats.

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:

Proposed Second Floor Plan 313/03 Rev A;
Proposed Elevations 313/105;
Proposed Floor Plans and Elevations for Bin and Cycle Stores 313/106;
Construction Plan 313/107; and
Ground Floor Plan Outer Areas 313/108.

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

- 3 The conversion of the building and all other development works shall be carried out in full accordance with the approved Construction Plan 313/07 and there shall be no deviation from this plan other than with the written agreement of the Local Planning Authority.

Reason: To avoid undue congestion of the site and consequent obstruction to access in accordance with policy T SP1 of the Arun Local Plan and the NPPF.

- 4 No construction activities shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no work involving power tools or machinery on Sunday or Bank/Public Holidays. In addition to these hours of working, the Local Planning Authority may approve in writing a schedule of activities where it is necessary to conduct works outside the hours specified in this condition.

Reason: To protect the amenity of local residents in accordance with policy QE DM1 of the Arun Local Plan.

- 5 The new flats shall not be first occupied unless and until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide adequate on-site car parking space for the development in accordance with policy T SP1 of the Arun Local Plan.

- 6 The new flats shall not be first occupied unless and until the bin & cycle stores as shown on the approved ground floor plan and bin & cycle stores drawings have been provided. The cycle stores shall cumulatively provide space for 11 cycles to serve the whole development. In addition, the new electric charge points also shown on the approved ground floor plan and to be approved separately by the discharge of condition 9 on BR/114/20/PL must be provided in working condition prior to occupation.

Reason: To ensure sufficient facilities to serve the new occupiers in accordance with Arun Local Plan policies D DM1, WM DM1, T SP1, T DM1, QE DM3 (c) and the Arun Parking Standards SPD.

- 7 The new flats shall not be first occupied unless and until the renewable energy measures to be separately agreed through condition 10 on BR/114/20/PL have been implemented in full and are in good working condition.

Reason: To ensure that the development is energy efficient and in accordance with policy ECC SP2 of the Arun Local Plan.

- 8 Prior to the occupation of any part of the development, the applicant or developer shall ensure that infrastructure is implemented to allow for the provision of the highest available headline speed of broadband provision to future occupants of all of the development from a site-wide network provided as part of the initial highway works and in the construction of frontage thresholds to buildings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site will continue in accordance with the approved strategy.

Reason: To safeguard the amenities of future residents in accordance with Arun Local Plan policy TEL SP1.

- 9 No part of the development shall be first occupied until full details of the placement of two suitable bird boxes on the building have been submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented in full prior to occupation and thereafter retained to the satisfaction of the Local Planning Authority.

Reason: In the interests of securing biodiversity net gain in accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

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: This decision has been granted in conjunction with a Deed of Variation to the previous section 106 legal agreement relating to an additional payment of £871 towards the provision of the agreed Pagham Harbour mitigation scheme.

INFORMATIVE: All parts of the new flats must be within 45m of a fire appliance in accordance with the requirements of Approved Document B: Volume 1 2019 edition B5 section 13. Any areas not within the 45 metre distance will need to be mitigated by the installation of domestic sprinkler or water mist system complying with BS9251 or BS4854 standards.

INFORMATIVE: Please note the recommendations of our Private Sector Housing Team on our website dated 21/04/22 which includes guidance on fire safety, ventilation, railings to terraces/balconies, other hazards and HMO standards.

INFORMATIVE: The development shall be carried out in accordance with the 'Arun District Council Construction Code of Practice: for small developments in Arun', available from:
<https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n12193.pdf&ver=12201>



Neil Crowther
Group Head of Planning

Case Officer: Mr S Davis

Decision Issued: **21st November 2022**

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 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).