

DECISION NOTICE

Application Ref: CM/46/21/PL

1 To Addressee

Brackley Investments
6 Lower Farm Barns
Bucknell
OX27 7LT

2 Site Address

Land to the rear of Bairds Farm Shop
Crookthorn Lane
Climping
BN17 5SN

3 Description of Development

Variation of conditions following grant of APP/C3810/W/19/3227274 (CM/16/18/PL) relating to Condition Nos 2 - approved plans, 3 - Construction & Environmental Management Plan, 4 - tree protection & retention, 5 surface water drainage and 9 - car parking.

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 the following conditions.

- 1 The development hereby approved shall be carried out in accordance with the following approved plans:
 - Site Location plan dwg. APL001
 - Proposed Site plan dwg. APL003 Rev. E
 - Proposed Refuse & Recycling floors & Elevations plan dwg. APL004
 - Proposed Ground Floor plan dwg. APL005
 - Proposed First Floor plan dwg. APL006
 - Proposed Substation dwg no. M9316-HUN-02-SL-DR-A-13-0022 rev F
 - Proposed Northern Elevation NN plan dwg. APL008 Rev. B
 - Proposed Eastern Elevation EE plan dwg. APL009 Rev. B
 - Proposed Southern Elevations SS plans dwg. APL010 Rev. B
 - Proposed Western Elevation WW plans dwg. APL011 Rev. B
 - Proposed True Elevations plans dwg. APL012 Rev. B
 - Site Sections plans dwg. APL013 Rev. A
 - Landscape Strategy plan dwg. 11423/PO8c
 - Proposed Highway Improvements dwg no. 025 Rev. P7

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.

- 2 The construction of the development shall be carried out all times in full accordance with the Construction & Environmental Management Plan approved under application reference CM/48/20/DOC submitted on 10-12-2020.

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

- 3 The development shall be carried out in accordance with the tree retention and protection details approved under application reference CM/48/20/DOC namely ecus Environmental Consultants Tree Survey, Arboricultural Impact Assessment & Method Statement combined report inclusive of a Tree Protection Plan.

Reason: To ensure existing trees are adequately protected in accordance with policy ENV DM4 of Arun Local Plan.

- 4 No occupation of the development shall take place until the surface water drainage scheme detailed in the following approved plans has been fully implemented. Thereafter the surface water drainage scheme shall be maintained in accordance with the details approved pursuant to application reference CM/21/21/DOC. Immediately following full implementation of the approved surface water drainage system and prior to occupation of any part of the development, as-built drawings of the implemented surface water drainage scheme together with a completion report prepared by an independent engineer (that confirms that the scheme was built in accordance with the approved scheme and is fit for purpose) shall be submitted to the Local Planning Authority.

The development shall be carried out in accordance with the surface water drainage details set out in the following approved plans, drawings and documents and retained in perpetuity:

BCH-ICS-01-XX-DR-C-003-Rev P13- Proposed Drainage Strategy

BCH-ICS-01-XX-DR-C-002-Rev P05- Levels Design

BCH-ICS-01-XX-DR-C-004-Rev P02- Surface Finishes & Kerb Types

BCH-ICS-01-XX-DR-C-009-Rev P02- Flow Control and Storage

BCH-ICS-01-XX-DR-C-010-Rev P03- Typical Details- Drainage Levels

BCH-ICS-01-XX-DR-C-011-Rev P02- Typical Details- Road Details

2868-BCH-ICS-XX-RP-C-07.010 Rev C- Suds Maintenance Guide

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies W SP1, W DM1, W DM2 and W DM3 of the Arun Local Plan

- 5 No part of the development shall be first occupied until the car parking has been constructed in accordance with that set out in the approved site plan (dwg no. APL003 Rev. E). These car parking spaces shall thereafter be retained at all times for their designated purpose.

Reason: To ensure satisfactory car parking is provided in accordance with policy T SP1 of Arun Local Plan.

- 6 Prior to the first use of the electricity substation, an acoustic report assessing the impact shall be submitted to and approved in writing by the Local Planning Authority. The report shall address the issue of noise (including low frequency noise) and vibration from the station to ensure that there is no adverse effect to residential or commercial properties. The electricity substation equipment shall be maintained in a condition so that it complies with the levels and mitigation measures specified in the approved acoustic report, whenever it is operating. After installation of the approved plant, no new plant shall be used without the written consent of the Local Planning Authority

Reason: To protect residential amenity in accordance with Policy QE DM1 of Arun Local Plan.

INFORMATIVE: This permission relates to the variation of conditions 2, 3, 4, 5 and 9 of planning permission CM/16/18/PL only. The applicant is advised and reminded that the other planning conditions attached to the original planning permission number CM/16/18/PL remain in force and must be complied with.

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: The Fire Officer has requested an additional fire hydrant. Currently the nearest Hydrant to the proposed 64-bed Specialist Dementia Care Centre is 410 metres away. The supply of water for firefighting for a commercial premises should be within 90 metres. Evidence will also be required that Fire Service vehicle access meets with the requirements identified in Approved Document B Volume 2 2019 Edition: B5 Section 15, including Table 15.2 and diagram 15.3.



Neil Crowther
Group Head of Planning

Case Officer: Mrs A Gardner
Decision Issued: 19th November 2021

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).