

DECISION NOTICE

Application Ref: FG/105/20/PL

1 To Addressee

ECE Planning Limited
Brooklyn Chambers
11 Goring Road
Worthing
West Sussex
BN12 4AP

2 Site Address

The Tudor Close Public House
Ferringham Lane
Ferring
BN12 5NQ

3 Description of Development

Conversion of existing Public House (Use Class A4) to create 7 No residential units comprising 5 No 1-bedroom units & 2 No 2-bedroom units & the erection of 2 No 1-bedroom semi-detached bungalows, associated car parking & landscaping (resubmission following FG/46/20/PL). This application affects a Public Right of Way & is in CIL Zone 4, CIL Liable for new dwellings.

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 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;

Elevations as proposed drg.no. 3932-C3 Rev C dated Nov 2019
First Floor Plan as proposed drg.no. 3932 - C2 Rev B dated Nov 2019
Ground Floor Plan as proposed drg.no. 3932 - C1 Rev B dated Nov 2019
Proposed block and landscape Plans 3932-C4 REVD

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 No part of the development shall be first occupied 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 car-parking space for the use in accordance with policy T SP1 of the Arun Local Plan.

- 4 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls and roofs of the proposed extension and windows & doors of the existing building and proposed extension 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/extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity/and character and appearance of the Listed Building/ by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

- 5 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and policy T DM1 of the Arun Local Plan.

- 6 Prior to the commencement of development details shall be submitted which shall be approved by the Local Planning Authority to ensure that the trees on and adjacent to the site shall be protected by the applicant employing the services of an Arboricultural Consultant to carry out a tree survey exercise and then prepare an Arboricultural Impact Assessment (AIA) which must be inclusive of; a 'Tree Survey Schedule', a 'Root Protection Area (RPA) Schedule' and a 'Tree Constraints Plan' - with the trees accurately plotted on same.

In the event that a RPA of any tree which is proposed for retention overlaps the development then BS5837:2012 requires an Arboricultural Method Statement (AMS) and also most importantly a Tree Protection Plan - to both describe and illustrate the mitigation measures which are to be employed to ensure that the trees survive without detriment to their vigour and vitality and are given adequate protection both above and below ground.

Reason; In the interests of the protection of trees on and adjacent to the site in accordance with policy ENV DM4 of the Arun Local Plan. This is necessary as a pre-commencement condition in order to protect the trees on and adjacent to the site from the adverse impacts of development.

- 7 The windows on the west elevation of the flat 6 shall at all times be glazed with obscured glass and fixed to be permanently non-opening up to 1.7 meter above finished floor level.

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

- 8 The dwellings shall not be occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that they will incorporate decentralised, renewable and low carbon energy supply systems and use sustainable construction methods. The approved scheme shall thereafter be implemented prior to occupation of the dwellings and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: To ensure that the development is energy efficient, and in accordance with policy ECC

SP2 of the Arun Local Plan

- 9 Prior to occupation of any of the dwellings, a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved dwellings shall be submitted to the local planning authority for approval and thereafter implemented in accordance with the approved details and the charge points shall thereafter be retained and maintained in good working condition.

Reason: New petrol and diesel cars/vans will not be sold beyond 2040, and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the National Planning Policy Framework (NPPF).

This application is subject to the Community Infrastructure Levy (CIL) as levied under Arun district Council's CIL Charging Schedule as adopted on 15th January 2020.

Shortly you will receive a Liability Notice which includes the calculated charge and person(s) liable to pay. If you have not submitted all the necessary CIL forms such as Assumption for Liability ([Form 2](#)) or any appropriate exemption or relief forms available on the Councils website <https://www.arun.gov.uk/cil> you must do so prior to commencement of your development. Failure to do so would invalidate any claim for exemption or relief. Furthermore, you must remember to submit your Commencement Notice no later than the day before the day on which the chargeable development is to commence. Failure to do so could result in a surcharge of up to £2,500.

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 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.



Neil Crowther
Group Head of Planning

Case Officer: Mr A Wood

Decision Issued: **30th October 2020**

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).