

DECISION NOTICE

Application Ref: LU/137/26/PL

1 To Addressee

Duffy Associates
76 New King's Road
London
SW6 4LT

2 Site Address

1 Beach Road
Littlehampton
BN17 5HY

3 Description of Development

Change the use from Class E to a mixed Class E and C3 Residential Use consisting of 4 No. commercial units at ground floor level, No. 4 residential units at first floor level, No. 2 residential units at second floor level and proposed external alterations including a first floor extension to the eastern elevation, 4 No. dormers and 2 No. roof lights (resubmission following LU/168/25/PL). 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 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:
 - Location Plan
 - Site Plan
 - Proposed Basement Floor Plan P101 B
 - Proposed Ground Floor Plan - P102 F
 - Proposed First Floor Plan - P103 D
 - Proposed Second Floor Plan - P104 D
 - Proposed Roof Plan - P105 C
 - Proposed West Elevation - P201B

- Proposed East Elevation - P202 C
- Proposed North Elevation - P203C
- Proposed Section AA - P301 C
- Proposed Section BB - P302 C
- Proposed Section CC - P303 C
- Proposed Section DD - P304 C
- Proposed South Elevation - P204 C

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

- 3 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 to be submitted to and approved by the Local Planning Authority. The approved spaces shall be maintained in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with Arun Local Plan policy T SP1 and the NPPF.

- 4 Prior to the occupation of the development, a scheme for protecting the proposed dwellings from noise shall be submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall achieve the following noise levels, based on Table 4 of BS 8233:2014:

1. internal day time (07.00 hours to 23.00 hours) noise levels shall not exceed 35dB LAeq, 16hr for habitable rooms (bedrooms and living rooms with windows open)

2. internal night-time (23.00 hours to 07.00 hours) noise levels shall not exceed 30dB Laeq, with individual noise events not exceeding 45dB L_{max} no more than 12 times per night (bedrooms windows open).

3. garden/external amenity spaces should not exceed 50 dB Laeq, 16hr.

If it is predicted that the internal noise levels specified above will not be met with windows open, the proposed mitigation scheme shall assume windows would be kept closed and will specify an alternative ventilation system, to reduce the need for windows to be opened. As a minimum, this should usually consist of a mechanical heat recovery ventilation system with cool air by-pass or equivalent.

The applicant should review the Planning Noise Advice Document - Sussex, November 2023: <https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n19846.pdf&ver=24686>.

The agreed noise mitigation measures shall be fully installed/implemented prior to occupation of any of the affected dwellings and permanently retained in good working order.

Reason: To protect the amenity of local residents in accordance with Arun Local Plan policy QE DM1. This must be a pre-commencement condition because it is necessary to have such mitigation measures in place before the buildings are occupied.

- 5 Prior to occupation, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the 'Biodiversity Net Gain Assessment, July 2026 Rev C' shall be submitted to and approved in writing by the Local Planning Authority.

The enhancement measures shall be implemented in accordance with the approved details prior to first occupation of any part of the development and all features shall be retained in that manner thereafter.

Reason: To enhance protected and priority species and habitats in accordance with Arun Local Plan policies ENV SP1 and ENV DM5 and allow the Local Planning Authority to discharge its duties under the NPPF and s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats and species).

- 6 Prior to their insertion details of the windows and doors including their design/appearance (including elevation), specification, glazing bars, glazing (system), method of opening, decorative/protective finish (i.e. stain/paint and colour) and location within the reveal, in the form of drawings and sections of an appropriate scale, shall be submitted to and agreed in writing by the Local Planning Authority before the windows and doors are installed.

Reason: To enable the Local Planning Authority to control the development in detail by endeavouring to achieve a building of visual quality in accordance with Arun Local Plan policy HER SP1 and HER DM2 and the NPPF.

- 7 The development shall be carried out in accordance with the submitted flood risk assessment (dated April 2026) and the following mitigation measures it details:

- That there are no residential units constructed on the ground floor.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants in compliance with Arun Local Plan policy W DM2 and the NPPF.

- 8 The materials and finishes of the external walls of the building hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with Arun Local Plan policies D DM1 and D SP1.

- 10 Notwithstanding the provisions of any Town and Country Planning General Development Order or Use Classes Order (or any Order revoking or enacting that Order), the ground floor commercial units hereby permitted shall be restricted to Class E only.

Reason: To enable the Local Planning Authority to consider the acceptability of alternative use, in accordance with Arun Local Plan policy D DM1.

Statutory Biodiversity Gain Plan Condition

- 9 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (the biodiversity gain condition) that development may not begin unless:

1. A Biodiversity Gain Plan has been submitted to the planning authority, and
2. The planning authority has approved the plan.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.



Neil Crowther
Group Head of Planning

Case Officer: Amber Willard
Decision Issued: **7th August 2026**

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 should be made on line via Appeal A Planning Decision <https://appeal-planning-decision.service.gov.uk/before-you-start> If someone does not have access to the internet and needs help completing the appeal digitally, they should contact the Planning Inspectorate customer service team on 0303 444 5000 who will provide details of the support options available.

Before making an appeal, you may find it useful to review guidance and watch a video explaining the appeals process at <https://www.gov.uk/government/collections/make-an-appeal-to-the-planning-inspectorate-and-associated-guidance>

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.

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).