



Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management
Procedure) (England) Order 2015
Application for Planning Permission
DECISION NOTICE

Application Ref: LU/182/18/PL

1 To Addressee

Dowsettmayhew Planning Partnership
 63a Ship Street
 Brighton

 BN1 1AE

2 Site Address

46A & 46B Pier Road
 Littlehampton
 BN17 5LW

3 Description of Development

Demolition of the existing buildings & erection of 2 No. new buildings incorporating commercial (A1) at ground floor with 4 No. residential units above.

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
 TA 1098/01
 TA 1098/02
 TA 1098/03
 TA 1098/04
 TA 1098/05
 A 1098/06
 TA 1098/10 rev C
 TA 1098/11 rev B
 TA 1098/12 rev C
 TA 1098/13 rev B
 TA 1098/14 rev C
 TA 1098/15 rev C
 TA 1098/16 rev C
 TA 1098/17 rev C
 TA 1098/18 rev C

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

- 3 The hours of opening for the two Retail units hereby approved shall be:
 09.00 to 18.00 hrs Monday-Saturday 10:00 to 18.00 on Sundays & Bank Holidays.

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.

- 4 No part of the development shall be first occupied until the vehicle turning space has been constructed within the site in accordance with the approved site plan. This space shall thereafter be retained at all times for their designated use.

Reason: In the interests of road safety in accordance with policy TSP1 of Arun District Local Plan .

- 5 No development shall commence until up to the damp proof level a schedule of materials has been submitted to, and where so required by the Local Planning Authority sample panels of the external finishes (including the proposed texture, style, coursing and mortar ratio) have been constructed on the site, and approved by the Local Planning Authority and the materials and sample panels so approved shall be adhered to as the construction specification for the proposal hereby permitted.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with policies D DM1, D DM4, HER SP1 of the Arun Local Plan.

- 6 No part of the development shall be first occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will achieve energy efficiency measures that reflect the current standards applicable at the time of submission and includes the use of renewable energy supply systems. The approved scheme shall thereafter be implemented prior to occupation of the residential unit 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.

- 7 Prior to the occupation 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 point shall thereafter be permanently 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 policies QE DM3 (c), T SP1 (f) and ECC SP2 of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the National Planning Policy Framework.

- 8 No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

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

- 9 No windows (other than those shown on the plans hereby approved) shall be constructed in the North or east elevation of the main building forward of the plot. In addition no windows (other than those shown on the plans hereby approved) shall be constructed in the south and east elevation of the secondary building (to the rear of the plot) hereby permitted which adjoins the side boundary with 47 Pier Road and Victoria Gardens without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policies D DM1 & D DM4 of the Arun Local Plan.

- 10 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (August 2018) and the following mitigation measures detailed within the FRA:
- Finished floor levels of first floor are set no lower than 5.23m above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

In accordance with policies QE SP1 of the Arun District Local Plan.

- 11 Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

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. This is required to be a pre-commencement condition because it is necessary to implement the surface water drainage system prior to commencing any building works.

- 12 Prior to the commencement of the development hereby approved, a detailed level survey of the site including existing and resulting ground levels and the slab levels of the building the subject of this approval, shall be submitted to and approved by the Local Planning Authority. The development shall proceed only in accordance with the details thus approved and there shall be no subsequent raising of levels without prior written approval of the Local Planning Authority.

Reason: It is considered necessary for this to be a pre-commencement condition because the increase in site levels need to be established in order to safeguard the amenities of the area and neighbouring residents in accordance with policy DDM1 of the Arun District Local Plan.

INFORMATIVE: The Environment Agency recommend that the owner/occupants sign up to the Environment Agency Flood Warning Service and have a flood evacuation plan and that consideration be given to use of flood mitigation measures to reduce the impact of flooding when it occurs. Flood mitigation measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. More information can be found in the communities and local Government publication 'Improving the flood performance of new buildings' which can be viewed at:

<http://www.communities.gov.uk/publications/planningandbuilding/improvingflood>

INFORMATIVE:

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".

INFORMATIVE:

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

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.



Neil Crowther
Group Head of Planning

Case Officer: Stuart Corbey

Date of Decision:

26 March 2019

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 12 weeks 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.

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).