

REPORT UPDATE

Application No: LU/197/17/PL

Reason for the Update / Changes

Reason for Update/Changes:

One additional representation received.

Can you confirm that the proposed bin store can be accessed when all the parking spaces are being used and lack of access will not lead to bins being left on the street edge all week?

Given the location of a public car park opposite can applications be conditioned to provide parking permits when there is a shortfall in provision?

Officers Comment:

There is no reason why the parking spaces should prevent the movement of dustbins. There would be space around them even if all spaces are occupied and the spaces are unlikely to be utilised all of the time.

It is not possible to provide parking permits for the public car park opposite as part of a planning decision. The possibility could be considered and if possible pursued by residents of the flats in the future if they wish.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report/Recommendation.

LU/197/17/PL

Recommendation Report for Planning Permission

REF NO: LU/197/17/PL

LOCATION: 90 & 91 South Terrace
Littlehampton

PROPOSAL: Change of use of existing leisure use of upper ground floor to form 3 No. flats, extension of first floor to form 2 No. flats & creation of 1 No. flat in roof space (resubmission following LU/395/14/PL & LU/84/16/PL).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above. The proposal retains a leisure use at lower ground floor and converts the floor above to 3 flats, comprising two, one bedroom flats and a 2 bedroom flat. At first floor 2 no 2 bedroom flats would be created and at second floor a 2 bedroom flat. Additional railings would be provided along the Bayford Road frontage. The proposal relates mainly to internal alterations and subdivision of the

report

former club area. A communal garden area would be created at ground floor for the residents of the flats which would be shared between the flats proposed and those existing. The application essentially alters the internal layouts previously approved under planning permissions LU/395/14/PL and LU/84/16/PL to delete the lift between floors. 6 flats would be provided which is the same number, as approved but there are now no studio flats. This application is for 2 no 1 bed flats and 4 no 2 bed flats. (The previous configuration of flats approved was 3 x 2 bed flats, 2 x1 bed flats and a studio.)

SITE AREA	0.057 hectares
RESIDENTIAL DEVELOPMENT DENSITY (NET)	105 dwellings per hectare
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Black painted railings to roadside in South Terrace to approx. 1.6m high. Low walling to Bayford Road. Fencing to approximately 1m on side of parking spaces.
SITE CHARACTERISTICS	2 storey premises on corner site at junction of Bayford Road and South Terrace. Brick elevations and plain tiled roof. Area to side of building in Bayford Road is used for car parking, loading and unloading and storage. A timber shed is located adjacent to the rear northwestern corner of the site.
CHARACTER OF LOCALITY	Predominantly residential characterised by mainly older style properties, mainly 3 storeys high and constructed of red brick. Many have been converted into flats.

RELEVANT SITE HISTORY

LU/349/07/	Formation of a smoking area.	ApproveConditionally 26-10-2007
LU/395/14/PL	Alterations and additional floors above existing leisure use to provide 3No. new flats	ApproveConditionally 19-03-2015
LU/84/16/PL	Change of use of upper ground floor from	ApproveConditionally

leisure use to form 3 No. self contained flats
& alterations to retained leisure use of lower
ground floor (resubmission following 04-07-2016
LU/395/14/PL).

REPRESENTATIONS

Representations received:

Littlehampton Town Council

Objection - The application lacked sufficient on site parking provision and the Committee disagreed with the assertion in the design access statement that "there is plenty of nearby on street parking" as the nearby roads were already full to capacity with parked cars. The retention of the existing leisure use in the basement would have an adverse impact on the residential amenity of the occupants of the flats. With this in mind the Committee also considered that if approved, the current licensing arrangements for the basement premises should be reviewed.

Comments on Representations received:

4 parking spaces are provided as part of the proposal. Although this parking provision is below one space per unit and will result in some off street car parking this needs to be considered in relation to the parking demand that was generated by the previous club use of the upper ground floor. It is not considered that a refusal on parking grounds could be sustained on this basis.

Licensing is the subject of separate legislation dealt with by environmental health and cannot be considered as part of this proposal. The club use of the premises has currently ceased and environmental health have no objection to the proposal subject to the imposition of conditions relating to sound insulation and hours of operation. The use of the Sailing Club use of the lower ground floor falls within Use Class A4 Drinking Establishment and could be re established without the need for planning permission.

CONSULTATIONS

Environment Agency
Economic Regeneration
Environmental Health
Conservation Officer
Engineers (Drainage)
Engineering Services Manager
WSCC Strategic Planning

Consultations responses received:

Environmental Health - First response: I understand that Planning Permission had been granted in respect of Application number LU/84/16/PL and Conditions 4 & 5 shall continue to apply in respect of this new submission. As previously stated this Department is concerned that the continued use of the Lower Ground Floor for 'Leisure Purposes,' as yet undefined, has potential to cause noise and possible vibration nuisance to the detriment of any overhead residence.

The current applicant's desire to use the lower ground floor in a way perhaps less likely to cause annoyance, for example as a health or fitness facility, unfortunately does not restrict any future use within this Class. It is therefore imperative that mitigation provided to deal with possible noise and vibration transference is of the highest standard.

The matter requires research by a properly qualified practitioner whose advice must be properly applied. This must take account of any possible flanking transmission. It is further recommended that the Hours of Operation of any use of the lower ground floor be restricted to between 7.00 - 21:00 hours on any week day and between 8:00 and 20:00 hours on any Saturday, Sunday or Bank or Public Holiday. This is again in order to prevent detriment to the amenity.

Second response : Request that this additional condition is added to the original comment :
'Before first occupation of dwellings as proposed in this application, post validation testing shall be carried out by a competent person to determine compliance with Code of Practice, BS8233:2014, Sound Insulation and Noise Reduction for Buildings. Where initial occupation of the lower ground floor may be delayed, then a suitable noise source must be applied as in a white noise generator and noise transference to any overhead sensitive location identified by suitable tests. This must be submitted and agreed in writing with the Local Planning Authority before first occupation.'

Public Sector Housing - Private Sector Housing

Fire Safety

- Appropriate fire precaution facilities and equipment must be provided of such type, number and location as are considered necessary. Guidance on fire safety is contained in the LACORS guidance document -

"Housing - Fire Safety, Guidance on fire safety precautions for certain types of existing housing"

- There should be adequate fire separation between the commercial unit/leisure use and the residential flats above.

- A room where the only escape route is through another room is termed an "inner room" and poses a risk to its occupiers if a fire starts unnoticed in the outer room. The escape routes from the bedroom in Flat B is via the living room, this can be overcome by ensuring that the window in the bedroom is an escape window and adequate fire protection within the flat.

General

- Must meet the requirements of the Housing Act 2004 and be free of Category 1 and significant Category 2 Hazards;

- Must meet the requirements of the Arun District Council Houses in Multiple Occupation Standards (2016);

County Highways - West Sussex County Council, in its role as the Local Highways Authority (LHA), was consulted previously on Highway Matters for this location under planning application LU/395/14 for alterations and additional floors above the existing leisure use to provide 3 dwelling flats across the 1st and 2nd floors. No Highways concerns were raised and consent was granted by the Local Planning Authority (LPA). Subsequently LU/84/16 sought change of use to the upper ground floor, previously retained as D2 use, to form 3 dwelling flats with D2 leisure use only retained on the Lower Ground Floor. Again no highways concerns were raised and consent was granted.

This application seeks to amalgamate the two extant permissions, whereby 6 flats (2 x 1 bed & 4 x 2 bed) will be provided over the upper ground, 1st and 2nd floors, with D2 leisure use retained on the lower ground floor. The principle of this change of use in highway safety and capacity terms has already been considered acceptable under LU/395/14 & LU/84/16 and therefore no concern from the LHA would be raised to the principle of the revised scheme.

A total of 4 car parking spaces will be provided to serve the 6 flats, presumably on an

unallocated basis. It would be anticipated that a development of this size in this location would attract the demand for 6 car parking spaces on an unallocated basis. While there is a shortfall of 2 spaces the existing use of the site must be taken into consideration.

The existing D2 use would have attracted a significant quantity of parking demand (1 space per 22sqm); taking into consideration the loss of D2 use class the overall parking demand of the proposed would be considered lower than the existing use of the site.

Nevertheless the LPA may wish to consider implications towards on street car parking amenity towards other residents of South Terrace and Bayford Road.

The applicant has demonstrated a secure and covered cycle parking provision large enough to store 3 cycles communally. This provision should be secured in perpetuity in the interests of sustainability.

The LHA does not consider that the proposal for would have 'severe' impact on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 32), and that there are no transport grounds to resist the proposal. If the LPA are minded to grant planning consent conditions relating to provision of car and cycle parking are requested.

Environment Agency - The Environment Agency would reiterate it's previous comments with regards matters relating to potential flood risk, as the site is shown to be within a Flood Zone 3 tidal flood area (high risk).

The proposed development will only meet the requirements of the National Planning Policy Framework if the following measure(s) as detailed in the Flood Risk Assessment submitted with this application are implemented and secured by way of a planning condition on any planning permission.

In addition to our previous comments we recommend that the applicant registers with our Flood Warning, which should form part of a Flood Plan. Future occupants should be aware as to what actions to take in a severe flood risk scenario. This measure was identified in the previous planning application LU/84/16/PL, Flood Risk Assessment, but has not been included in this revised application.

Conservation Officer - From the conservation perspective, the roof-top stair enclosure and roof terrace are considered entirely alien to the local context and harmful to the significance of both the locally listed building and the Area of Special Character. However, it is noted that these elements were permitted as part of a previous scheme and in consequence, there is no further comment in terms of the relevant Conservation Policies.

Comments on Consultation responses:

- comments noted. Requested conditions have been recommended

POLICY CONTEXT

Designation applicable to site:
Within Area of Special Character
Building or Structure of Character
Class C road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	<u>GEN7</u>	The Form of New Development
	<u>GEN11</u>	Inland Flooding
	<u>GEN12</u>	Parking in New Development
	<u>GEN22</u>	Buildings or Structures of Character
	<u>GEN32</u>	Noise Pollution
Publication Version of the Local Plan (October 2014):	<u>AREA1</u>	Areas of Special Character
		D DM1 Aspects of Form and Design Quality
		D DM2 Internal Space Standards
		D DM3 External Space Standards
		W DM2 Flood Risk
		QE DM1 Noise Pollution
		HER DM2 Locally Listed Buildings or Structures of Character
		HER SP1 The Historic Environment
		HER DM4 Areas of Special Character
	Littlehampton Neighbourhood Plan 2014 Policy 1	The Presumption in Favour of Sustainable Development
	Littlehampton Neighbourhood Plan 2014 Policy 17	Buildings and Structures of Character
	Littlehampton Neighbourhood Plan 2014 Policy 2	A Spatial Plan for the Town

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation may be a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification may also be material consideration to take into account. The examination into the proposed Plan modifications took place in September 2017.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a report

neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Policies 1, 2 and 17 of Littlehampton Neighbourhood Plan. are considered relevant to consideration of this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The site is located within the built-up area and within an Area of Special Character where the principle of development is acceptable, subject to accordance with relevant planning policies. In

this instance, the main criteria against which the application will be assessed is contained within relevant policies of the Arun District Local Plan mainly GEN7 and AREA1 which seek to prevent development that would have an adverse impact upon visual and residential amenities and the character of the area. The proposal is considered to be in keeping with its urban setting and to accord with policy. The made Littlehampton Neighbourhood Plan (2014) is the most up to date plan for development control purposes and contains the following policies relevant to principle considerations:

Policy 1 - The Presumption in Favour of Sustainable Development

Policy 2 - Spatial Plan for the Town

Policy 17- Buildings and Structures of Character

Policy 1 states planning applications which accord with the policies in the Neighbourhood Plan will be approved, unless material considerations indicate otherwise. There are no policies in the Neighbourhood Plan specifically relating to this site. The proposal would accord with this policy.

Policy 2 states :

The Neighbourhood Plan concentrates future housing, economic and community-related development within the built up area of Littlehampton and especially the Fitzalan Corridor connecting the strategic housing allocations at North Littlehampton (Toddington- north of the railway) and at Courtwick Park with the Littlehampton Academy, the Town Centre and the Community Hub and the Green. The proposal accords with this policy.

Policy 17 states that the effect of the proposal on non designated heritage assets will be taken into account in determining applications to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. The proposal is considered to minimise the impact on this heritage asset.

As a more recent part of the development plan, the proposals are in accordance with the development plan.

The Council is unable to demonstrate an adequate 5 year supply of housing land as required by paragraph 49 of the National Planning Policy Framework (NPPF) and Policy GEN 5 of the Arun District Local Plan is outdated. Furthermore, the Examination into the emerging Local Plan was suspended by the Planning Inspector on the grounds that the Council's Objectively Assessed Housing Need (OAN) should be reviewed higher than that proposed in the Local Plan (580 units p.a). The Council therefore need to identify adequate land supply to meet the additional housing requirements. The OAN figure has now been increased to 919 units per annum as of October 2016 and the Council, based on this need, is only able to demonstrate approximately 2 years worth of supply.

Where the development plan is absent, silent or the relevant policies are out of date, paragraph 14 of the NPPF states that the presumption in favour of sustainable development requires the granting of planning permission, 'unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits'. In this case, as stated below, the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits.

Furthermore, paragraph 49 states that: "Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a

five year supply of deliverable housing sites"

At the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision taking. This is in accordance with the three dimensional approach to include economic, social and environmental considerations defined in paragraph 7 of the NPPF. As set out below it is considered that the proposal represents sustainable development and is therefore acceptable in this respect.

NPPF TEST ON SUSTAINABILITY:

Environmental Role-

The site is part of the residential area of Littlehampton within the built up area boundary. It is within walking distance of local shops & facilities within Littlehampton and close to bus stops and the railway station. Littlehampton has dedicated footpaths and street lighting and is a safe and attractive walking environment. It is considered this is a sustainable location for new development.

Social Role-

It is considered the proposal will support the local community by providing eight new flats to help meet future needs and add to the variety of house types in the area. This factor weighs in the scheme's favour.

Economic Role-

It is considered the proposal will lead to a not insignificant increase in Council Tax receipts and create a number of jobs during construction. All of these would provide a benefit to the local economy. These economic factors weigh in the scheme's favour.

Assessment-

It is considered that the proposal is environmentally acceptable and offers economic & social benefits. As such, it is sustainable development and therefore benefits from the presumption in favour of sustainable development as set out within paragraphs 14 and 49 of the NPPF.

SUMMARY OF SUSTAINABILITY & PRINCIPLE:

This site lies within the defined built up area.

The above analysis shows that the proposal represents sustainable development and benefits from the presumption in favour of sustainable development set out in paras 14 and 49 of the NPPF. Given the planning history of the site and the location of the site the principle of redevelopment of the site to create 6 flats is considered acceptable and the proposal would comply with the development plan. This is subject to the design, layout and siting of the proposal being in accordance with development control criteria set out in policy GEN7 of Arun District Local Plan.

PLANNING HISTORY

The application essentially alters the internal layouts previously approved under planning permissions LU/395/14/PL for alterations and additional floors above existing leisure use to provide 3 No. new flats and LU/84/16/PL for change of use of upper ground floor from leisure use to form 3 No. self contained flats & alterations to retained leisure use of lower ground floor and replaces the lift between floors with stairs. 6 flats would be provided which is the same number, as approved but there are now no studio flats. This application is for 2 no 1 bed flats and 4 no 2 bed flats. (The previous configuration of flats approved was 3 x 2 bed flats, 2 x1 bed flats and a studio.)

IMPACT ON CHARACTER AND VISUAL AMENITY

The proposal relates to the conversion of the upper ground floor to 3 flats which is to be considered in relation to the extension at first floor and above to provide a further 3 flats. The addition of 2 storeys above the existing ground and lower ground floor development on the site is acceptable in terms of visual amenity and has already been approved. The existing building is located on a prominent corner at the junction of Bayford Road and South Terrace and is significantly lower than the surrounding development on both of the roads onto which it fronts.

The building currently appears squat in both street scenes. The height of the building proposed would reflect that of the adjacent buildings. The proposal would retain a gap to the north and would therefore retain the separate identity of the building when viewed from Bayford Road. The appearance of the building would reflect that of adjoining properties. The roof pitch, window style and proportions would be in keeping with its neighbours. The extension would be no closer to either road frontage than the existing building. Pitched roof dormer windows exist on the front elevations of buildings fronting Bayford Road and the proposal incorporates similar style windows on this elevation.

The Area of Special Character is defined by the formal, cohesive and attractive appearance of the group of buildings forming this part of South Terrace. Boundary walls and traditional timber windows contribute to the character of the area. The extensions have previously been approved. The railings which define the southern boundary are proposed to be extended along the Bayford Road elevation and this would be a positive addition re-enforcing the sense of enclosure.

The building is on the local list and is defined as a building of character. Therefore its appearance should not be damaged by inappropriate development. The proposal relates mainly to internal alterations and would not significantly adversely affect the external appearance of the building. The continued use and maintenance of the building is welcomed. The attractive entrances to the building from Bayford Road and South Terrace would be retained and remain unaltered.

The proposal therefore makes a positive contribution to the character and appearance of the Area of Special Character and the Building of Character in compliance with policies AREA1 and GEN22 of Arun District Local Plan and policies HERDM4 and HERDM2 of the Emerging Local Plan.

SPACE STANDARDS

The Emerging Local Plan contains policies relating to internal and external space standards. The proposal exceeds the nationally described gross internal floor area space standards and complies with policy DDM2 of the Emerging Plan. The proposal includes a communal garden area to serve the flats and all have a separate amenity area and the upper floor flat has a roof garden standard in policy DDM3. The flats do not have their own private garden area, but they do have access to garden areas and are located close to the seafront and areas of public open space so some

flexibility in adherence to the policy is acceptable.

RESIDENTIAL AMENITY

The proposed development will not have an unacceptable adverse impact upon the residential amenities of adjoining occupiers. The loss of part of the existing club use which generates noise and its replacement with residential use represents a reduction in noise generation from the site and an improvement in relation to the impact on adjoining neighbours. However even though the club use at lower ground floor has ceased it could be reinstated and noise could be generated from the remaining lower basement leisure use. That is why condition relating to noise insulation is recommended.

HIGHWAYS

County Highways have no objection to the proposal in terms of parking or access.

FLOODING

The site lies within Flood Zone 3 (High probability of flooding), but the residential development would be located above the worst case flood scenario level. A condition is imposed to ensure development proceeds in accordance with the submitted flood risk statement.

CONCLUSION

The application is therefore recommended for approval subject to the following conditions.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

APPROVE CONDITIONALLY

- 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/Site plan 030617/TP.60

Lower Ground Floor 030617/TP.50

Upper Ground Floor 030617/TP.51

New First Floor Plan 030617/TP.52

Second Floor Plan 030617/TP.53

North Elevation as Proposed and South Store Elevation 030617/TP.56 revA

South Elevation as Proposed 030617/TP.57

East Elevation as Proposed 030617/TP.59

West Elevation as Proposed 030617/TP.58

Roof Plan as Proposed 030617/TP.54

Diagrammatic Cross Section 030617/TP.55

Soft Landscaping Planting Plan PJC-5640/002 rev B

Soft Landscape Plan General Arrangement PJC-5640/001 rev B

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:

1. Finished floor levels are set no lower than 5.0 m 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.

Reason: To reduce the impact of flooding on the proposed development and future occupants. In accordance with policies GEN7 and GEN11 of the Arun District Local Plan.

- 4 Prior to commencement of development a sound insulation scheme shall be submitted to and approved by the Local Planning Authority. This shall include post validation testing to determine compliance with BS8233:2014. Where initial occupation of the lower ground floor may be delayed then a suitable noise source must be applied to any overhead sensitive location identified in testing . The development shall proceed in accordance with the approved details.

Reason: In the interests of residential amenity of the approved properties in accordance with Arun District Local Plan policies GEN7 and GEN32. It is considered necessary for

this to be a pre-commencement condition to ensure that the development only proceeds once adequate sound insulation is agreed.

- 5 The flats shall not be occupied until the car parking spaces shown on the submitted plans have been provided and constructed in accordance with the approved upper ground floor plan. The spaces so provided shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policy GEN7 of the Arun District Local Plan.

- 6 The flats shall not be occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plans and thereafter the space shall not be used for any purpose other than the parking of cycles.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policy GEN7 of the Arun District Local Plan.

- 7 The materials and finishes of the external walls and roofs of the extension hereby permitted shall match in colour and texture those of the existing buildings.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 8 Landscaping (hard and soft) shall be carried out in accordance with the details shown on plan (PJC-5640/001 revB and PJC-5640/02 revB). All planting, seeding or turfing comprised in the approved details shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 9 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. 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.

- 10 INFORMATIVE: In addition to our previous comments we recommend that the applicant registers with the Environment Agency's Flood Warning, which should form part of a Flood Plan. Future occupants should be aware as to what actions to take in a severe flood risk scenario. This measure was identified in the previous planning application LU/84/16/PL, Flood Risk Assessment, but has not been included in this revised

application.

- 11 **INFORMATIVE:**
- Appropriate fire precaution facilities and equipment must be provided of such type, number and location as are considered necessary. Guidance on fire safety is contained in the LACORS guidance document - "Housing - Fire Safety, Guidance on fire safety precautions for certain types of existing housing"
 - There should be adequate fire separation between the commercial unit/leisure use and the residential flats above.
 - A room where the only escape route is through another room is termed an "inner room" and poses a risk to its occupiers if a fire starts unnoticed in the outer room. The escape routes from the bedroom in Flat B is via the living room, this can be overcome by ensuring that the window in the bedroom is an escape window and adequate fire protection within the flat.
- The development must meet the requirements of the Housing Act 2004 and be free of Category 1 and significant Category 2 Hazards and must meet the requirements of the Arun District Council Houses in Multiple Occupation Standards (2016).