

DECISION NOTICE

Application Ref: LU/212/21/PL

1 To Addressee

Funnell Design Partnership
Bizspace
Courtwick Lane
Littlehampton
BN17 7TL

2 Site Address

3-4 Selborne Place
Selborne Road
Littlehampton
BN17 5NH

3 Description of Development

Change of use from A3 Restaurant / A4 Drinking Establishment to C3 Dwelling Houses (5 No. 1-bed flats & 1 No. 2-bed flat). This application may affect the setting of a listed building, may affect the character & appearance of the Littlehampton Sea Front Conservation Area & 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 AND BLOCK PLANS 1779-P-01;
PROPOSED SITE PLAN 1779-P-05;
PROPOSED GROUND FLOOR LAYOUT PLAN 1779-P-02 REV A;
GROUND FLOOR ALTERATIONS WORK 1779-P-03 REV B; and
PROPOSED ELEVATIONS 1779-P-04.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in

accordance with policies D DM1, HER DM1, HER DM2, HER DM3, QE SP1 and T SP1 of the Arun Local Plan.

- 3 The development shall be carried out in accordance with the submitted flood risk assessment (ref 6351, 02/07/21) by Ambiental Environmental Assessment and the following mitigation measures that it details:

- The proposed change of use is to have flood resilience measures retrofitted, where possible, in line with current best practice for construction within an area at risk of flooding in line with CLG 2007 'Improving the Flood Performance of New Buildings'.
- Waterproof materials and damp-proof membrane to be utilised in the construction of the alterations;
- The developer will investigate the possibility of retrofitting property level protection measures (i.e. flood doors/demountable barriers);
- Non-return valves on any new sewer connections to prevent back flow;
- All new plumbing insulations to be of closed-cell design; and
- The site owner and staff should sign up to the EA Flood Alert/Warning Service and maintain an evacuation plan.

In addition, the applicant/developer/building owner shall ensure that future ground floor residents have unfettered access to the first floor of the building and that such arrangements are permanently maintained.

These mitigation measures shall be fully implemented prior to occupation and 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 line with the National Planning Policy Framework and Arun Local Plan policy W DM2.

- 4 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 included 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 policies QE SP1 and T SP1 of the Arun Local Plan and the National Planning Policy Framework. This is required to be a pre-commencement condition because it is necessary to have the site set-up agreed prior to access by construction staff.

- 5 No development to the external elevations of the building shall commence unless and until details of the proposed bricks and the bond to be used on the new brick work to be used for the alterations to building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the approved alterations.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity, the setting of the nearby Listed Building and the character and appearance of the Conservation Area in accordance with policies D DM1, HER DM1, HER DM2 and HER DM3 of the Arun Local Plan and the National Planning Policy Framework. This is required to be a pre-commencement condition because it is necessary to have these matters agreed before work starts on the alterations. However, this condition does not prevent commencement of internal works.

- 6 No development to the external elevations of the building shall commence unless and until details

of the construction and materials of all new windows and doors in the form of detailed plans and sections at an appropriate scale have been submitted to and approved by the Local Planning Authority and the new windows and doors as approved shall then be constructed in accordance with approved details. The submitted details shall include the style and material of the window frames, the arrangement of glazing bars, the set-back of the frames from the external wall face and the window sills, together with details of proposed finishes.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity, the setting of the nearby Listed Building and the character and appearance of the Conservation Area in accordance with policies D DM1, HER DM1, HER DM2 and HER DM3 of the Arun Local Plan and the National Planning Policy Framework. This is required to be a pre-commencement condition because it is necessary to have these matters agreed before work starts on the alterations. However, this condition does not prevent commencement of internal works.

- 7 Prior to the occupation of any of the new apartments, a strategy for the provision of the highest available headline speed of broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall consider the timetable for the delivery of 'superfast broadband' (defined as having a headline access speed of 24Mb or more) in the vicinity of the site (to the extent that such information is available). The strategy shall seek to ensure that upon occupation of a new dwelling, the provision of the highest available headline speed of broadband service to that dwelling from a site-wide network is in place. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site will continue in accordance with the approved strategy.

Reason: To safeguard the amenities of future residents in accordance with Arun Local Plan policy TEL SP1.

- 8 Prior to occupation of any of the new flats, a scheme for the provision of facilities to enable the charging of electric vehicles within the communal parking area 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 permanently retained and maintained in good working condition.

Reason: New petrol, diesel and hybrid cars/vans will not be sold beyond 2030, 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 Parking Standards SPD and the National Planning Policy Framework.

- 9 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. The approved cycle storage spaces shall thereafter be permanently retained and maintained in good working condition.

Reason: To provide alternative travel options to the use of the car in accordance with Arun Local Plan policies T SP1 & T DM1, the Arun Parking Standards SPD and the National Planning Policy Framework.

- 10 No construction activities shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday). Should any works be required outside of these times then the applicant should submit a schedule of activities to the Local Planning Authority for approval in writing.

Reason: To protect the amenity of local residents in accordance with policies QE SP1 and QE DM1 of the Arun

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.

INFORMATIVE: The applicant should ensure that new occupants phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. This is a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-forflooding>. To get help during a flood, visit <https://www.gov.uk/help-during-flood>. For advice on what do after a flood, visit <https://www.gov.uk/after-flood>.

INFORMATIVE: Please note the recommendations of our Private Sector Housing Team on our website dated 13/08/21 which includes guidance on fire safety, ventilation, other hazards and HMO standards.

INFORMATIVE: The Councils Conservation Officer states that it would help if the front parking area was improved with landscaping features and you may wish to consider improving this area with landscaping.



Neil Crowther
Group Head of Planning

Case Officer: Mr S Davis

Decision Issued: 17th September 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).