

DECISION NOTICE

Application Ref: LU/240/20/PL

1 To Addressee

Gemini Drawings Ltd
32 Rosetti Road
Pevensey Bay
BN24 6JA

2 Site Address

Felix Dancewear
39 Beach Road
Littlehampton
BN17 5JA

3 Description of Development

Demolish existing outbuildings & replace with single storey rear extension. This application is in CIL Zone (Zero Rated) as 'other development'.

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:

Proposed Floor Plans and Elevations (BEA/002 Rev A)

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D SP1, D DM1, D DM4, HER DM2 and QE SP1 of the Arun Local Plan and Policy 17 of the Littlehampton Neighbourhood Plan.

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

Reason: In the interests of visual amenity and to conserve a Building of Character in accordance with the National Planning Policy Framework and policies D SP1, D DM1, D DM4 and HER DM2

of the Arun Local Plan and Policy 17 of the Littlehampton Neighbourhood Plan.

- 4 In the event of the flat roof to the new extension being used as a sitting out area, it shall not be used until an obscure-glazed screen to a minimum height of 1.7m has been installed on the perimeter of this flat roof area on the side boundary with no. 35 Beach Road. This screening shall be retained as such in perpetuity thereafter.

Reason: To protect the residential amenity of neighbouring occupants, in accordance with the National Planning Policy Framework and policies D DM1 and QE SP1 of the Arun Local Plan.

- 5 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) received 27th October 2020 and the mitigation measures detailed within the FRA as follows:

1. Finished floor levels of the extension are set no lower than existing or 300mm above the estimated flood level.
2. Use of flood proof materials including concrete sub-floor
3. Raised electrical sockets (minimum 1m above floor level)
4. Registration with the Environment Agency's flood warning service
5. Identification of safe evacuation routes into and out of the site to an appropriate safe haven (from rear of building into public car park at rear).

Reason: To reduce the risk and impact of flooding on the proposed development and future occupants, in accordance with the National Planning Policy Framework and policy W DM2 of the Arun Local Plan.

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 (in the form of a revised Flood Risk Assessment) 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.

INFORMATIVE: The owner(s) of any commercial property (warehouses, offices, etc.) built before 2000 are legally obliged to hold a copy of an asbestos register for each property in their portfolio. If any asbestos is to be removed during demolition/removal of the existing structures at the rear of the site, this must be suitably managed to minimise risk to human health as there is no safe threshold for asbestos exposure. A copy of the asbestos register, and any remedial strategy (where appropriate), must be provided in writing to the Local Planning Authority prior to any works commencing.



Neil Crowther
Group Head of Planning

Case Officer:

Ms Myer

Arun District Council

Decision Issued: **11th November 2020**

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).