ARUN DISTRICT COUNCIL

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/298/17/PL

1 **To Addressee**

H A Plans and Design
55 Welcomes Road
Kenley

CR8 5HA

2 **Site Address**

5 Selborne Place
Selborne Road

BN17 5NH

3 **Description of Development**

Change of use from a dwelling (C3 Dwellinghouse) to a Day Nursery & Beach School (D1 Non-residential Institutions) with off-street parking. This application affects the character & appearance of the Littlehampton Seafront Conservation Area.

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: PR/FP/02, PR/FP/03.

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 Prior to use of the property hereby approved an acoustic report is to be submitted and agreed with the Local Planning Authority to predict the effect of this business on noise levels at the nearest residential facade. This will include the effect of the use of the south facing garden as a children's play area. The report will detail whatever suitable mitigation measures as may be necessary. The submitted details will also calculate the required level of sound attenuation to be provided between the application property and the adjoining residential property (Selbourne House) and the method of achieving this to accord with the requirements of BS8233:2014, Guidance on Sound Insulation and Noise Reduction for Buildings. The mitigation measure so approved shall be implemented prior to first use and retained in perpetuity unless otherwise agreed.

Reason: To safeguard the amenities of nearby residents in accordance with Arun District Local Plan policies GEN7 and GEN32.

4 Details for the storage of waste on the premises shall be submitted to and approved in writing by the Local Planning Authority prior to the use of the property first taking place. The details approved shall be provided prior to first use and retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of nearby residents in accordance with Arun District Local Plan policy GEN7.

5 The use hereby permitted shall not be operated on Saturdays, Sundays or Public Holidays or at any time otherwise than between the hours of 8am and 6pm.

Reason: To safeguard the amenities of the neighbouring properties in accordance with Arun District Local Plan policies GEN7 and GEN32.

6 The use hereby approved shall not commence until traffic and parking management details have been submitted and approved in writing with the Local Planning Authority. These details should establish how many car parking spaces are available in the surrounding road network and include results of a car parking survey. Information will also need to be submitted on how many parents are likely to drive, proportion of car share (siblings) and further information on session times, plans to stagger start finish times. A plan showing a redesigned staff parking area is also required. The details so approved shall be implemented at all times.

Reason: In the interests of road safety in accordance with policy GEN7 of the Arun District Local Plan.

INFORMATIVE: The premises will require registration under the Food safety Act 1990 and will need to comply with the standards contained in the relevant Food Hygiene Regulations prior to becoming operational. The applicant is advised to contact Environmental health for further information.

The workplace (Health, Safety and Welfare) Regulations1992 and Health and Safety at Work Act 1974 requires there to be:
*suitable provision of Staff sanitary Accommodation. It will be necessary to provide 2 water closets and 2 wash hand basins together with a suitable supply of hot and cold water and suitable drainage for up to and including 25 members of staff. such units to be segregated for male and female staff members and to be provided with proper ventilation.

*proper provision for changing of babies nappies is to be made on the ground floor so as to prevent the necessity up and downstairs to the only such changing area currently provided on the first floor. Such a changing facility to have a proper supply of hot and cold water and proper drainage to allow for hand washing
*suitable and sufficient accommodation is to be provided for storage of staff outdoor clothing
*there is no provision of an area, provided with potable water supply, where staff might be able to make drinks, eat and rest. Such an area is to be provided.

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.

Case Officer: Mr J Baeza

Date of Decision: **19 February 2018**

Neil Crowther
Group Head of Planning

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