

DECISION NOTICE

Application Ref: LU/324/18/PL

1 To Addressee

Bayside Architectural Design Ltd
19 Pyrford Close
Bognor Regis
West Sussex
PO21 3NL

2 Site Address

The Nelson Hotel
61 Pier Road
Littlehampton
BN17 5LP

3 Description of Development

Demolition of existing hotel & replacement with new 14 bedroom hotel with ancillary restaurant & function rooms.

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:
Site Survey SU-01
Location Plan PL-01
Site and Block Plan PL-02B
Proposed Plans PL-03A
Proposed Elevations PL-04B
Ground and First Floor Comparison PL-05
Proposed Elevations with existing Overlays PL-06

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

accordance with policy DDM1 of the Arun Local Plan.

- 3 The development shall be carried out in accordance with the submitted flood risk assessment (November 2018, Ambiental) and the following mitigation measures it details:

Finished floor levels for sleeping accommodations shall be set no lower than 300mm above 4.94m above Ordnance Datum (AOD).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above 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 accordance with policy WDM2 of Arun Local Plan.

- 4 No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved by, the Local Planning Authority. The Approved Plan shall be adhered to throughout the construction period. The Plan shall provide for :
- a. An indicative programme for carrying out the work.
 - b. The arrangements for public consultation and liaison during the construction works.
 - c. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method should foundation piling occur, the careful selection of plant and machinery and use of noise mitigation barriers.
 - d. Detail of any flood lighting, including location, height, type and direction.
 - e. The parking of site operatives and visitors.
 - f. Loading and unloading of plant and materials.
 - g. Storage of plant and materials used in construction and development.
 - h. Wheel washing facilities.
 - i. Measures to control the emission of dust and dirt during construction.
 - j. Hours of Operation shall be restricted to 07:00 to 18:00 Monday to Friday; 8:00 to 13:00 hours on any Saturday; no working on any Sunday, Public or Bank Holiday.

Reason: In order to safeguard the amenity in accordance with policy DDM1 of the Arun Local Plan. This is required to be a pre-commencement condition because these details have to be agreed and in place before any work commences..

- 5 The staircase windows on the north elevation at first and second floor level shall at all times be glazed with obscure glass and non opening below 1.7m below internal floor level.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with policy DDM1 of the Arun Local Plan.

- 6 The north and east sides of the second floor roof terrace balcony area shall at all times be obscured below 1.7m in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason: In the interests of the amenities of the occupants of nearby properties in accordance with policies D DM1 of the Arun Local Plan.

- 7 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. The building shall not 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.

- 8 Prior to use of the premises full details of plant to be installed to mitigate cooking odour with full reference the DEFRA Guidance 2018 On the Control of Odour and Noise from Commercial Kitchen Exhaust Systems shall be submitted to and approved by the Local Planning Authority. Such a report shall demonstrate the way in which residential units bordering this site, will not be adversely affected by this proposal. Any mitigation measures which may prove necessary are to be specified, together with plans for long term maintenance of abatement equipment. Any works specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and retained thereafter.

Reason: To ensure that the use does not result in excessive cooking odours outside the premises and that the amenity of occupiers of nearby properties is protected in accordance with Arun Local Plan policy QE SP1.

- 9 No development above damp proof course shall take place until the applicant has submitted a full acoustic report to demonstrate that the internal and external noise levels of residential units bordering this site, will not be adversely affected by this proposal. Any mitigation measures which may prove necessary to be specified and such a scheme to be approved in writing by the local Planning Authority. Any works specified in the approved scheme shall be carried out in accordance with the approved details prior to occupation of the premises and retained thereafter.

Reason: To safeguard the amenities of nearby residents in accordance with Arun Local Plan policies QE SP1, QE SP1 and D DM1.

- 10 External lighting in association with this development shall comply with Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light, Obtrusive Light Limitations for Exterior Lighting Installations for Zone E3 -Suburb 3

Reason: To control the residential amenities of the local environment in accordance with Arun Local Plan policies QE SP1, QE DM2 and D DM1.

- 11 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for the external walls and roof of the proposed building and balconies have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy DDM1 of the Arun Local Plan.

- 12 Deliveries shall be limited to between 08:00 to 18:00 Monday to Friday; 8:00 to 13:00 hours on any Saturday; with no deliveries on any Sunday, Public or Bank Holiday.

Reason: To safeguard the amenities of neighbouring properties in accordance with Arun Local Plan policies QE SP1 and QE DM1.

- 13 The use shall operate within the following time restrictions:
- The external restaurant areas to be closed and vacated by 22.00 hours.
 - No music to be allowed outside at any time.
 - Restaurant to close by 23.00 hours.

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties in accordance with Arun Local Plan policy QE SP1 and QE DM1.

INFORMATIVE: Infiltration rates for soakage structures are to be based on percolation tests undertaken in the winter period and at the location and depth of the proposed structures. The percolation tests must be carried out in accordance with BRE365, CIRIA R156 or a similar approved method and cater for the 1 in 10 year storm between the invert of the entry pipe to the soakaway, and the base of the structure. It must also have provision to ensure that there is capacity in the system to contain below ground level the 1 in 100 year event plus 40% on stored volumes, as an allowance for climate change. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers.

Supplementary guidance notes regarding surface water drainage are located here

<https://www.arun.gov.uk/surfacewater> on Arun District Councils website. A surface water drainage checklist is available here <https://www.arun.gov.uk/drainagechecklist> on Arun District Councils website, this should be submitted with a Discharge of Conditions Application.

INFORMATIVE: The Environment Agency recommend the use of flood proofing and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways to help reduce flood damage.

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 Tel 01903 737755.

Please note that a staff/other toilet which enters directly into a kitchen will not be acceptable. The plans as submitted will require modification. In this case it will be necessary to provide suitable clean space for a staff changing.

Every bar and cellar must be provided with a suitable sink and wash hand basin together with proper supply of hot and cold water or water of a suitably controlled temperature fitted to a fully operational drainage system.

INFORMATIVE: The provision of Sanitary accommodation shall comply with Arun District Council Scale of Provision of Sanitary Appliances. For Restaurants this means Roof Top Restaurant: estimated at 72 persons in and outside: One Male WC and urinal together with two wash hand basins and two female WCS and two wash hand basins.

Ground floor restaurant: estimated at 42 persons in and outside: One male WC and wash hand basin and one female WC and wash hand basin.

INFORMATIVE: The drainage serving kitchens at commercial hot food businesses shall be fitted with a grease trap/separator of a proportionate capacity to effectively contain grease residue arising from the estimated numbers of hot meals served and waste water flow rate. The applicant shall provide the Local Planning Authority with details of their proposed grease trap/separator in order to demonstrate design and installation will be in compliance with BS EN 1825-1:2004, & BS EN 1825-2:2004

INFORMATIVE: Please note that ventilation will be required to the basement laundry facility

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: Mrs A Gardner

Decision Issued: **13th June 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).