



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/328/18/PL

1 To Addressee

Armstrong Simmonds Architects
 Battersea Business Centre
 Unit 23
 99-109 Lavender Hill
 Wandsworth
 SW11 5QL

2 Site Address

90/91 South Terrace
 Littlehampton
 BN17 5LJ

3 Description of Development

Change of use from existing leisure use (except lower ground floor which will retain leisure use) to 8 No flats to include extension to form new first floor, alterations to roof space including creation of dormer windows & installation of roof lights (amendment to LU/197/17/PL).

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:

955_90ST_X000 REV *
 955_90ST_X001 REV *
 955_90ST_X002 REV *
 955_90ST_X003 REV *
 955_90ST_X004 REV *
 955_90ST_X005 REV *
 955_90ST_X006 REV *
 955_90ST_X007 REV *
 955_90ST_X008 REV *
 955_90ST_X009 REV *
 955_90ST_X010 REV A
 955_90ST_X011 REV *
 955_90ST_X012 REV *
 955_90ST_D101 REV *
 955_90ST_D101 .1 REV *
 955_90ST_D102 REV A
 955_90ST_D102.1 REV A
 955_90ST_D103 REV *
 955_90ST_D104 REV A
 955_90ST_D105 REV B
 955_90ST_D106 REV B
 955_90ST_D107 REV A
 955_90ST_D108 REV A
 955_90ST_D109 REV B
 955_90ST_D110 REV B
 955_90ST_D111 REV B
 955_90ST_D112 REV A
 955_90ST_D113 REV *
 955_90ST_D114 REV A

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 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).

2. 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 policy WDM2 of the Arun Local Plan.

- 4 Prior to the occupation of any of the units 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. The development shall proceed in accordance with the approved details.

Reason: In the interests of residential amenity of neighbouring properties in accordance with Arun Local Plan policy QE DM1.

- 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 DDM1 of the Arun 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 policies DDM1 and TSP1 of the Arun Local Plan.

- 7 Development shall not commence 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, the recommendations of the SUDS Manual produced by CIRIA.

Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage.

No building shall 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 No development above damp proof course (DPC) level shall take place until a sample panel incorporating the replica brick bond and quoining details of the external finishes (including the proposed, style, coursing and mortar ratio) have been constructed on the site, and approved by the Local Planning Authority and the materials and sample panels so approved shall be adhered to as the construction specification for the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with policies D DM1 and D DM4 of the Arun Local Plan.

- 9 No development above first floor level shall take place unless and until a schedule of materials and finishes to be used for external walls and roof of the proposed roof garden staircase have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the staircase.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the character and appearance of the Building of Character by endeavouring to achieve a building of visual quality in accordance with policies HERDM2 and DDM1 of the Arun Local Plan.

- 10 The materials and finishes of the external walls and roofs of the extension (excluding the staircase to the roof garden) and cycle/bin store hereby permitted shall match in colour and texture those of the existing buildings.

Reason: In the interests of amenity in accordance with policy DDM1 of the Arun Local Plan.

- 11 Landscaping (hard and soft) shall be carried out in accordance with the details shown on plan (PJC-0790-002). 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 DDM1 of the Arun Local Plan.

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.

INFORMATIVE: Drainage Engineers advise that 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 BRE 365, 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 30% 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 are available on our website <https://www.arun.gov.uk/surfacewater> and are also available on request.

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.

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).

Case Officer: Mrs A Gardner

Date of Decision:

4 March 2019



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