

DECISION NOTICE

Application Ref: LU/76/25/PL

1 **To Addressee**

Mr Simon Millett
Bourne House
Cores End Road
Bourne End
SL8 5AR

2 **Site Address**

Former Waitrose Site
Avon Road
Littlehampton
BN17 6AT

3 **Description of Development**

Demolition of vacant supermarket building and erection of four-storey hotel with ancillary restaurant, public realm, landscape improvements, retention of associated car park and all associated works. This application affects the setting of listed buildings and affects the character and appearance of the East Street Conservation Area and is in CIL Zone 4 (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 compliance with the following conditions and Section 106 Agreement.

- 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 Plan 6122-P-000.
- Proposed Site Plan 6122-P 002 Rev C.
- Proposed Ground Floor Plan 6122-P-100.
- Proposed First Floor Plan 6122-P-101.
- Proposed Second Floor Plan 6122-P-102.
- Proposed Third Floor Plan 6122-P-103.
- Proposed Roof Plan 6122-P-104.

- Proposed South Elevation 6122-P-201.
- Proposed East Elevation 6122-P-202.
- Proposed North Elevation 6122-P-203.
- Proposed West Elevation 6122-P-204.
- Proposed South Streetscape Elevation 6122-P-205.
- Proposed East Streetscape Elevation 6122-P-206.
- Proposed North Streetscape Elevation 6122-P-207; and
- Proposed West Streetscape Elevation 6122-P-208.

Reason: For the avoidance of doubt and in the interests of amenity/the environment in accordance with Arun Local Plan policies D DM1, QE SP1, T SP1, HER SP1, HER DM2 and HER DM3.

- 3 The development shall proceed and be carried out in full accordance with the recommendations and noise levels set out in the Noise Impact Assessment Rev 00 (03/04/2025) by Scotch Partners LLP and the recommendations set out in the Air Quality Impact Assessment SBE Ref: PR-D103 - 1v1 (April 2025) by Stroma Built Environment Ltd.

Reason: To protect the local environment in accordance with Arun Local Plan policies QE DM1, QE DM3 and QE SP1.

- 4 Notwithstanding the provisions of the Town & Country Planning General Development Order or Use Classes Order (or any Order revoking or enacting these Orders), the use hereby permitted shall be restricted to a hotel under Use Class C1.

Reason: To enable the Local Planning Authority to consider the acceptability of alternative uses, in accordance with Arun Local Plan policies D DM1, T SP1 and QE SP1.

- 5 The development permitted shall only be carried out in accordance with the approved Flood Risk Assessment & Drainage Statement by Simpson TWS (ref P24-0122, Issue 2 - 10th April 2025) and the following mitigation measures detailed within the Flood Risk Assessment.

- Finished floor levels shall be set no lower than 3.45 metres above Ordnance Datum (AOD).
- All sleeping accommodation shall be at first floor level or above.
- Demountable barriers at doors/openings at ground floor level shall be implemented to a minimum height of 600mm above ground floor level; and
- Electrical ring mains shall be suspended from first floor level with drops to ground floor sockets and switches. Electrical sockets shall be set no lower than 600mm above ground floor level.

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 Arun Local Plan policies W SP1, W DM2 and the NPPF.

- 6 The approved development shall achieve a minimum of 10% energy supply reduction from either the use of decentralised/renewable or low carbon energy sources (as described in the glossary at Annex 2 of the NPPF). Any physical features that are required as part of the works must be installed prior to the occupation of the hotel and shall be thereafter permanently maintained in good working condition.

Reason: In order to secure the generation of on-site energy use to meet the predicted energy demand in accordance with Arun Local Plan policy ECC SP2 and the NPPF.

- 7 The development shall proceed in full accordance with the Construction & Environmental

Management Plan ref 2024/8391/CEMP02 (July 25). This plan shall be in force throughout the construction process.

Reason: In the interests of the safety/amenity of nearby residents and occupiers of any nearby noise sensitive premises, the safety and general amenities of the area, and in the interests of highway safety in accordance with Arun Local Plan policies D DM1, QE SP1, QE DM1, QE DM2, QE DM3 and T SP1 and the NPPF

- 8 No development shall take place, apart from demolition of the building, clearance of the site or any necessary surveys/investigation work unless and until the applicant has prepared and submitted for approval in writing, an Employment and Skills Plan. Following approval of the Employment and Skills Plan the developer will implement and promote the objectives of the approved plan.

Reason: In accordance with Arun Local Plan policy SKILLS SP1. This must be a pre-commencement condition as it relates to the construction phase of development and to ensure measures are in place so that local crafts people and apprentices are employed on the development.

- 9 No development shall take place, apart from demolition of the building, clearance of the site or any necessary surveys/investigation work unless and until construction drawings of the proposed surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement have been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be constructed as per the agreed drawings, method statement, Flood Risk Assessment/Drainage Statement (Issue 2, Simpson TWS, April 2025) and the drawing "Proposed Drainage Scheme" (Dwg P24-0122-SK002 Rev P3, Mar25) and remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with NPPF and Arun Local Plan policies W DM2 & policy W DM3. 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.

- 10 No development shall take place, apart from demolition of the building, clearance of the site or any necessary surveys/investigation work unless and until details of the proposed foul drainage system have been submitted to and approved in writing by the Local Planning Authority. The submission shall include details of siting, design, and subsequent management/maintenance). The proposed drainage system shall be designed and constructed to prevent the ingress of flood water into the sewerage network. No part of the new building shall be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details.

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul sewerage in accordance with Arun Local Plan policies W DM1 and W DM3. This is required to be a pre-commencement condition because it is necessary to implement the foul water drainage system prior to commencing any building works.

- 11 No development above damp-proof course (DPC) level shall take place unless and until a detailed colour schedule of the materials and finishes to be used for the external walls and roofs of the proposed building have been submitted to and approved in writing 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 and the character and appearance of the Conservation Area in accordance

with Arun Local Plan policies D DM1, HER SP1, HER DM2 and HER DM3.

- 12 No development above damp-proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a soft landscaping scheme including full details of the landscaped planters, together with measures for the protection of any existing landscaping during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, 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 five years from the completion of 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 Arun Local Plan policy D DM1.

- 13 Prior to any development above damp-proof course (DPC) level, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the "Ecological Assessment" by Ecology Solutions (V3, 03/07/25). This shall also include the placement of 6 swift bricks within the building and the use of pollinator planting in the external landscaped planters. The enhancement measures shall be implemented in accordance with the approved details prior to first occupation of any part of the development and all features shall be retained in that manner thereafter.

Reason: To enhance protected and priority species and habitats in accordance with Arun Local Plan policies ENV SP1 and ENV DM5 and allow the Local Planning Authority to discharge its duties under the NPPF and s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats & species).

- 14 Prior to the occupation of any part of the approved building, details of electric vehicle charge points to serve the parking spaces associated with the hotel shall be submitted to and approved in writing by the LPA. The provision shall be in accordance with the council's standards as set out in its Parking Standards SPD unless otherwise agreed in writing by the Local Planning Authority. The applicant or developer shall provide the agreed electric vehicle charge points to serve the parking spaces associated with the hotel prior to occupation of the approved building. The individual charge points shall be in accordance with the technical requirements set out in Part S, section 6.2 of the Building Regulations 2010 (as amended). The electric vehicle charge points shall thereafter be retained and maintained in good working condition.

Reason: To mitigate against adverse impacts on local air quality and to promote sustainable travel, in accordance with Arun Local Plan policy QE DM3(c), the Arun Parking Standards SPD and the NPPF.

- 15 Prior to the occupation of the development hereby approved, full details of all new external lighting (including type of light appliance, the height and position of fitting, predicted illumination levels and light spillage) shall be submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (GN01:2011) and GN08 2023. "Bats and Artificial Lighting at Night".

The recommended lighting specification shall use LED's (at 3 lux) with the recommended spectrum being 80% amber and 20% white (The recommended Kelvin level is 2700) with a clear view, no UV a horizontal light spread of less than 70 degrees and a timer. A 3D plan of the illumination level should be supplied so that the Local Planning Authority can assess the potential impact on protected species.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of the amenities of the area, the site biodiversity, the interests of minimising crime, road safety and to minimise unnecessary light spillage outside the development site in accordance with Arun Local Plan policies QE SP1, QE DM2, T SP1 and ENV DM5.

- 16 No part of the proposed restaurant shall be used unless and until details of a suitable system for the extraction of cooking odours (including details of the extract fan units, filters, extraction hoods and ducting, together with method of noise abatement) has been submitted to and approved in writing by the Local Planning Authority. The submission should also include details of hours when the kitchen ventilation extract system will be operational. The equipment approved under this condition shall be installed by a competent engineer before the use hereby permitted commences and thereafter shall be maintained in accordance with the manufacturer's instructions.

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

- 17 No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development in accordance with Arun Local Plan policy T SP1 and the NPPF.

- 18 No part of the development shall be first occupied until secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. The spaces so provided shall be retained in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with Arun Local Plan policy T SP1.

- 19 Upon completion of the surface water drainage system, including any SuDS features, and prior to the first occupation of the development; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to the pre-commencement drainage condition. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with the NPPF and Arun Local Plan policies W SP1, W DM1, W DM2 and W DM3.

- 20 Notwithstanding the submitted Delivery and Servicing Management Plan, no delivery vehicles shall arrive at or depart from the delivery bay, and no industrial, commercial or trade goods shall be loaded, unloaded or otherwise handled, outside the hours of 08:00 and 18:00 Monday to Friday, 08:00 to 18:00 on Saturdays or at any time on Sundays, Bank or other Public Holidays.

Reason: In the interests of the residential amenities of neighbouring properties in accordance with Arun Local Plan policies QE SP1 and QE DM1.

- 21 The communal landing/hall windows on the eastern elevation of the building shall at all times be

glazed with obscured glass to a level equivalent to Pilkington Level 3 or nearest equivalent standard. This arrangement shall be permanently retained thereafter.

Reason: To protect the amenities and privacy of the facing residential properties in accordance with Arun Local Plan policies D DM1 and QE SP1.

- 22 If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the Local Planning Authority.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun Local Plan policies QE SP1 and QE DM4.

Statutory Biodiversity Gain Plan Condition

- 23 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition (the biodiversity gain condition) that development may not begin unless:
1. A Biodiversity Gain Plan has been submitted to the planning authority, and
 2. The planning authority has approved the plan.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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.

INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to a Travel Plan and the associated monitoring/auditing fee of £3,950.

INFORMATIVE: The EA strongly recommend the use of flood resistance and resilience measures. Physical barriers raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage. To find out which measures will be effective for this development, please contact your building control department. If you would like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the online planning practice guidance (<https://www.gov.uk/government/collections/planning-practice-guidance>). Further guidance on flood resistance and resilience measures can also be found online.

INFORMATIVE: The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It is a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up. Flood warnings can give people valuable time to prepare for flooding - time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities. For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>. 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: A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read the New Connections Services Charging Arrangements documents via <https://beta.southernwater.co.uk/infrastructurecharges>.

INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981 (as amended), with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.

INFORMATIVE: This notice does not give authority to destroy/damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage/destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0345 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.

INFORMATIVE: In the interests of crime prevention and deterrence, the development should incorporate security measures in accordance with the consultation advice of Sussex Police (dated 30 April 2025) as available on the council's website.

INFORMATIVE: Littlehampton Town Council (LTC) request the applicant become involved in the Town Council's Business Forum and an information point is provided in the hotel to promote local tourist attractions and places of interest; LTC request their existing notice board adjacent to the building on Anchor Springs is temporarily re-sited during construction and a permanent solution found for when the hotel is built. Please liaise with LTC regarding these issues.

INFORMATIVE: The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.



Neil Crowther
Group Head of Planning

Case Officer: Mr S Davis

Decision Issued: **5th September 2025**

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).