

DECISION NOTICE

Application Ref: P/155/21/RES

1 To Addressee

Ridge and Partners LLP
3rd Floor Regents House
65 Rodney Road
65 Rodney Road
Cheltenham
GL50 1HX

2 Site Address

Land West of Pagham Road
Pagham

3 Description of Development

Approval of reserved matters (layout, scale, appearance and landscaping) following outline consent P/140/16/OUT for the 'local centre' parcel which comprises of retail, community and commercial uses, 20 No residential apartments and a 70 bed care home.

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 approved shall be carried out in accordance with the following approved plans:

- Location Plan - PL00
- Proposed Site Plan - PL01 Rev E
- Proposed Site Wide Context - PL03 Rev D
- Proposed Massing Plan - PL05 Rev A
- Proposed Street Elevations - PL06 Rev B
- Proposed Land Use - PL07 Rev B
- Care Home Plans - PL09 Rev C
- Care Home Plans 2 - PL10 Rev C
- Care Home Elevations - PL11 Rev C
- Block A Plans - PL13 Rev D
- Block A Elevations - PL14 Rev D
- Block B Plans - PL15 Rev B
- Block B Elevations - PL16 Rev B

- Block C Plans - PL17 Rev B
- Block C Elevations - PL18 Rev B
- Block D Plans - PL19
- Block D Elevations - PL20
- Proposed Site Sections - PL21 Rev B
- Proposed Soft Landscaping - Sheet 1 of 3 - 2068-DLA-L-06 Rev P01
- Proposed Soft Landscaping - Sheet 2 of 3 - 2068-DLA-L-02 Rev P03
- Proposed Soft Landscaping - Sheet 3 of 3 - 2068-DLA-L-03 Rev P02
- Proposed Hard Landscaping - 2068-DLA-L-01 Rev P03
- Proposed Fencing - 07 Rev P01
- Spine Road and Local Centre Access - Sheets 1 of 3 - 2152-07
- Spine Road and Local Centre Access - Sheets 2 of 3 - 2152-07
- Spine Road and Local Centre Access - Sheets 3 of 3 - 2152-07

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

- 2 No use forming part of this planning permission shall be first occupied until covered and secure cycle parking spaces serving the respective use have been provided in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the private motor vehicle in accordance with Arun Local Plan policies T SP1 and T DM1.

- 3 No part of the retail use shall be first occupied until such time until a Servicing Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall set out the arrangements for the loading and unloading of deliveries, in terms of location and frequency, size of vehicles, and set out arrangements for the collection of refuse. Once occupied the use shall be carried out only in accordance with the approved plan.

Reason: To safeguard the operation of the public highway in accordance with policy T DM1 of the Arun Local Plan.

- 4 No part of the development shall be first occupied until the access road has been provided in accordance with the details as shown on Spine Road and Local Centre Access, Sheets 1, 2 and 3, drawing number 07 Revision G, and Indicative Proposed Road Markings, sheets 1 and 2, Drawing 08 Revision C.

Reason: To secure satisfactory standards of access for the proposed development.

- 5 No development above Damp Proof Course (DPC) shall take place until a lighting design scheme has been submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

Prior to first occupation 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: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of

the NERC Act 2006 (Priority habitats & species).

- 6 During construction, any trenches deeper than 1m, shall be covered or ramps provided by using planks placed into them and any drainage pipework with a diameter greater than 200mm shall be capped off at both ends, at the end of each working day. Excavations, should be checked each morning for the presence of any mammals or other species and hazardous materials should be suitably stored so they cannot be accessed by animals.

Reason: To conserve Protected species under the Wildlife & Countryside Act 1981 (as amended) and the Protection of Badgers Act 1992.

- 7 Prior to the commencement of the development hereby approved, a scheme to demonstrate that the internal noise levels within the residential units will conform to the "indoor ambient noise levels for dwellings" guideline values specified within BS 8233: 2014, Guidance on Sound insulation and Noise Reduction for Buildings, shall be submitted to and approved in writing by the Local Planning Authority. The work specific in the approved scheme shall then be implemented prior to the occupation of the premises and retained thereafter.

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

- 8 Details, including acoustic specifications, of all fixed plant, machinery and equipment associated with air moving equipment (including fans, ducting and external openings), compressors, generators or plant or equipment of a like kind, installed within the site which has the potential to cause noise disturbance to any noise sensitive receivers, shall be submitted to and approved in writing by the Local Planning Authority before installation. The rating level of noise emitted from the use of this plant, machinery or equipment shall not exceed the background sound level when measured according to BS4142: 2014, at any adjoining or nearby noise sensitive premises.

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

- 9 No development above damp-proof course (DPC) level shall take place unless and until details of the proposed location of the required fire hydrants have been submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service.

Prior to the first occupation of any dwelling forming part of the proposed development, the developer shall at their own expense install the required fire hydrants (or in a phased programme if a large development) in the approved locations to BS:750 standards or stored water supply and arrange for their connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of firefighting.

The fire hydrants shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner/occupier if the installation is retained as a private network.

Reason: In the interests of amenity and in accordance with policy INF SP1 and T SP1 of the Arun Local Plan and in accordance with The Fire & Rescue Service Act 2004.



Neil Crowther
Group Head of Planning

Case Officer: Mr D Easton

Decision Issued: **31st May 2022**

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).