

DECISION NOTICE

Application Ref: R/203/21/PL

1 To Addressee

Studio Scott Taylor
16 Woodhurst North
Ray Mead Road
Maidenhead
SL6 8PH

2 Site Address

Booker Hall
Station Road
Rustington
BN16 3AY

3 Description of Development

Demolition of existing community hall and ancillary building and redevelopment of the site to provide a new community hall with supporting functions and office accommodation within a new 1.5 and 2 storey building with associated car parking area and landscaping.

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:

- Proposed Block Plan (012_P_10_00)
- Proposed Ground Floor Plan (012_P_20_00)
- Proposed First Floor Plan (012_P_20_01)
- Proposed Roof Plan (012_P_20_02)
- Proposed Sections AA and BB (012_P_30_00)
- Proposed Section CC (012_P_30_01)
- Proposed Elevations S & E (012_P_40_00)
- Proposed Elevations N & W (012_P_40_01)

- Proposed Parking and Landscaping Plan (012_P_40_01), amended drawing received 15/10/2021

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with the National Planning Policy Framework and policies D SP1, D DM1, QE SP1, T SP1, T DM1 and ENV DM4 of the Arun Local Plan, the Arun District Council Design SPD and the Arun District Council Parking SPD.

- 3 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes (including photographs and product specifications) to be used for the external walls, roofs, rooflights, window and door openings 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 visual amenity by endeavouring to achieve a building of visual quality in accordance with the National Planning Policy Framework, policies D SP1 and D DM1 of the Arun Local Plan and the Arun District Council Design SPD.

- 4 No development above damp proof course (DPC) level shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a Landscaping Scheme including details of hard and soft landscaping and a detailed Planting Scheme, including details of location, densities, size of specimens and type of planting. 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 visual amenity and the environment of the development in accordance with policy D DM1 of the Arun Local Plan.

- 5 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary at Annex 2 of the NPPF) unless it can be demonstrated that a fabric-first approach would achieve an equivalent energy saving. Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority before any development above damp proof course (DPC) level begins. The development shall be implemented in accordance with the approved details and timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to secure on site renewable energy in accordance with National Planning Policy, and in accordance with Policy ECC SP2 of the Arun Local Plan.

- 6 No external lighting shall be installed until details of this external lighting scheme have been submitted to and approved in writing by the Local Planning Authority, prior to its installation. This submission shall include a layout plan with beam orientation and a schedule of light equipment (luminaire type, mounting height, aiming angles and luminaire profiles). The approved scheme shall be installed and fully assessed when operational to ensure no light creep/bleed by a competent individual and operated in accordance with the approved details unless the relevant planning authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment and wildlife and local residents from light pollution, in accordance with policies D DM1, ENV DM5, QE SP1 and D DM2 of the

Arun Local Plan.

- 7 All the windows at or above first floor level in the north and west elevations of the building shall:-
- (i) consist of at least two lights divided horizontally, be fixed shut to a height of 1.7m from finished floor level and with only the top light capable of being opened, and shall be maintained in that condition at all times;
 - (ii) at all times be and remain glazed entirely with obscure glass to a height of 1.7m from finished floor level.

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

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015, (or any Order revoking or enacting that Order) no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the walls/roof of the building without the prior written permission of the Local Planning Authority on an application in that behalf.

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

- 9 Notwithstanding the provisions of any Town & Country Planning General Development Order or Use Classes Order (or any Order revoking or enacting that Order), the use hereby permitted shall be restricted to a community hall and associated facilities and office use (as shown in layout and quantum on the plans hereby approved).

Reason: To enable the Local Planning Authority to consider the acceptability of alternative use, in accordance with relevant policies within the Arun Local Plan.

- 10 The use of the community facilities shall only occur between 08:00 hours to 22:00 hours Mondays-Fridays, 09:00 hours to 22:00 hours Saturdays and 10:00 hours to 20:00 hours on Sundays. The use the offices shall only occur between 08:00 hours and 19:00 hours Mondays-Fridays and 09:00 hours to 19:00 hours on Saturdays and 10:00 hours to 16:00 hours on Sundays.

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

- 11 No construction activities shall take place, other than between 08.00 hours and 18.00 hours (Monday to Friday) and between 08.00 hours and 13.00 hours (Saturday) with no noisy working activities on Sundays or Bank/Public Holidays.

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

- 12 No development shall commence, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the approved plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:
- a. An indicative programme for carrying out of the works
 - b. Details of the arrangements for public engagement / consultation both prior to and continued 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 of piling for foundations, the careful selection of plant and

machinery and use of noise mitigation barrier(s)

- d. Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination
- e. The anticipated number, frequency and types of vehicles used during construction,
- f. The method of access and routing of vehicles during construction,
- g. The parking of vehicles of site operatives and visitors
- h. Loading and unloading of plant, materials, and waste, including permitted times for deliveries
- i. Storage of plant and materials used in constructing the development
- j.. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- k. The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulations Orders)
- l. measures to control the emission of dust and dirt during construction
- m. a scheme for recycling / disposing of waste resulting from demolition and construction works i.e. no burning permitted.

Reason: To protect the amenity of local residents and ensure acceptable highways impacts in accordance with policies QE SP1, T DM1 and T SP1 of the Adopted Arun Local Plan and the National Planning Policy Framework. This is required to be a pre-commencement planning condition as it is necessary to secure these details regarding impact on highways operation/safety and local residents amenity prior to development works commencing.

- 13 The use hereby permitted shall not be carried on unless and until details of a suitable system for the extraction of cooking odours (including details of the extract fans, as well as filters, fan units, ducting, method(s) of noise abatement, details of grease traps and extraction hoods) has been submitted to and approved in writing by the Local Planning Authority. 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 Policy QE DM1 of the Adopted Arun Local Plan.

- 14 No part of the development shall be first occupied until the car parking serving the community hall and offices has been constructed in accordance with the plans shown on the approved Proposed Parking Plan and with plans and details (to include space markings and Electric Vehicle Charging Point provision) to be submitted to and approved in writing by the Local Planning Authority. Once provided the spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use, in accordance with policies T SP1 and T DM1 of the Arun Local Plan and the Arun District Parking SPD standards.

- 15 No part of the development shall be first occupied until covered and 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.

Reason: To provide alternative travel options to the use of the car in accordance with policies T SP1 and T DM1 of the Arun Local Plan and the Arun District Parking SPD standards.

- 16 No part of the development shall be first occupied until a scheme for the provision of facilities to enable the charging of electric vehicles to serve the approved development is submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details and the charge points shall thereafter be permanently retained and maintained in good working condition.

Reason: New petrol and diesel cars / vans will not be sold beyond 2040 and to mitigate against any potential adverse impact of the development on local air quality, in accordance with policy QE DM3 (c) of the Arun Local Plan, the Arun District Council Electric Vehicle Infrastructure Study (November 2017) and the National Planning Policy Framework (NPPF). Also to accord with sustainable transport policies.

- 17 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. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended 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.

- 18 Development shall not commence, other than works of site survey and investigation, until a Wastewater Drainage Scheme (covering construction wastewater and foul water drainage and setting out evidence of consultation with the Environment Agency and demonstration that the public water supply would be protected) has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development is satisfactorily drained and would not result in harm to the water supply 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 secure and implement the wastewater drainage strategy prior to commencing any building works.

- 19 Before the site is occupied or any machinery is introduced to the site or demolition work or construction work or alterations to existing ground levels takes place, written confirmation is required from the Arboricultural Expert representing the site owner(s), confirming that all protective fencing (minimum specification as per Figure 3 of BS5837:2012) and ground protection has been inspected and found to be 'Fit for Purpose' as required under British Standard 5837:2012 and been erected and positioned exactly as shown on the following Tree Protection Plans:

- Tree Protection Drawing, Ramsay & Co Landscape Architecture, dwg. RCo350-02 Rev 01
- Tree Protection Plan, Phillip Ellis Tree Care Consultancy, ref. TPP/BH/196/21, 14/10/2021

Reason: To ensure the retention and maintenance of trees and vegetation which are an important feature of the area in accordance with Policy D DM1 and ENV DM4 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition as the protection and retention of trees goes to the heart of the acceptability of the proposals and the planning permission.

- 20 All activity at the site is to be carried out in strict accordance with the following arboricultural reports:

- Landscape Issue Sheet and Tree Schedule (Report), Ramsay and Co Landscape Architecture, Job no. RCo350, 23/06/2021
- Arboricultural Report & Statement, Phillip Ellis, Tree Care Consultant, ref. BH/186/2021

If there is deemed to be a need for any Utility Service Route connections to bisect retained tree Root Protection Areas/Zones, then prior to their installation a Method Statement prepared by an Arboricultural Expert must be submitted that stipulates how this can be achieved without adverse impact on tree roots. Written approval and confirmation of acceptance of this Methodology must be issued by the Local Authority before any works are commenced out on site.

Reason: To comply with BS5837 and to ensure that retained trees are afforded due respect and appropriate levels of protection such that their ongoing health and vitality is not compromised, and they can continue to enhance the landscape and amenity of the area, in accordance with policies D DM1 and ENV DM4 of the Arun Local Plan.

- 21 All activity at the site is to be carried out in strict accordance with the wildlife mitigation measures which are to be implemented in full as set out in Section 5.3.13 of the following report:

Ecological Impact Assessment (prepared by Lizard, dated July 2021)

Reason: To ensure wildlife and legally protected species are appropriately protected, in accordance with relevant legislation and policy ENV DM5 of the Arun Local Plan.

- 22 Prior to first occupation, the biodiversity enhancement measures are to be implemented in full (to include 3 bird boxes, pollinator friendly planting within the soft landscape scheme, 2 bat boxes and 1 bat tile) as set out in Section 6 of the following report

Ecological Impact Assessment (prepared by Lizard, dated July 2021)

Reason: To ensure the development results in a net biodiversity gain, in accordance with relevant emerging legislation and policy ENV DM5 of the Arun Local Plan.

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 (in this case a revised car parking layout and additional arboricultural information to ensure protection of trees). 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: The applicant is advised that the proposals must accord with the relevant part of the Building Regulations in respect of accessibility standards to ensure an accessible and inclusive building.

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 event plus 40% on stored volumes/rainfall intensity (allowance for climate change) 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 storm event plus 40% on stored volumes/rainfall intensity. 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 at <https://www.arun.gov.uk/drainage-planning-consultations> on Arun District Council's website. A surface water drainage checklist is available on Arun District Council's website, this should be submitted with a Discharge of Conditions Application.

INFORMATIVE: The applicant must consult with the Environment Agency given the very close proximity to a Source Protection Zone and ensure the protection of the public water supply source is maintained. The applicant must inform Southern Water of the outcome of this consultation.

INFORMATIVE: It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

INFORMATIVE: Southern Water requires a formal application for a connection to the public foul and surface water

sewer to be made by the applicant or developer. To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link:

southernwater.co.uk/developing-building/connection-charging-arrangements



Neil Crowther
Group Head of Planning

Case Officer: Ms Myer

Decision Issued: **27th October 2021**

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).