

[REDACTED]

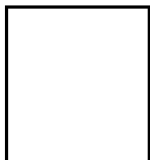
From: Aarti O'Leary [REDACTED]
Sent: 15 January 2020 12:29
To: Andrew Wood <Andrew.Wood@arun.gov.uk>
Subject: RE: Application Ref: R/220/19/PL - 2 Ash Lane, Rustington

Hi Andrew

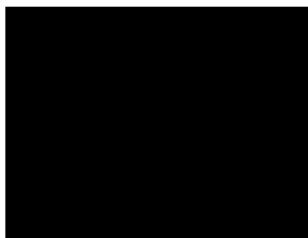
The applicant would be content for these conditions to be imposed on the understanding that they would be addressed by the future tenant of the property

Kind Regards

Aarti O'Leary
BSc (Hons), MA (Merit), MRTPI
Associate



Chartered Surveyors & Town Planners
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From: Andrew Wood <Andrew.Wood@arun.gov.uk>
Sent: 15 January 2020 12:25

To: Aarti O'Leary [REDACTED]
Subject: RE: Application Ref: R/220/19/PL - 2 Ash Lane, Rustington

Ms. O'Leary

Conditions 3 and 4 are pre-commencement conditions. Could I get your written agreement to these conditions by return of email ?

Condition 3

No development shall take place, 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 parking of vehicles of site operatives and visitors
- f. loading and unloading of plant and materials, including permitted times for deliveries
- g. storage of plant and materials used in constructing the development
- h. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- i. 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)
- j. measures to control the emission of dust and dirt during construction
- k. 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 in accordance with Policy QE SP1 of the Arun Local Plan.

4 Construction work shall not commence unless and until an impact assessment of the noise from the development on the nearest noise-sensitive receptor(s) has been completed and submitted in writing to the Local Planning Authority. The impact assessment shall include noise from deliveries and operation of the development and shall include a noise mitigation scheme. The assessment shall have regard to the principles of BS 4142:2014 and achieve a difference between the measured 'rating' level and the measured 'background' level of at least 5dB(A). A test to demonstrate compliance with the noise mitigation scheme shall then be undertaken by a competent acoustician / consultant before the use commences.

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

Thank you,

Andrew Wood

Andrew Wood MRTPI | Senior Planning Officer, Planning Department, Arun District Council |
Location: 1st Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF
Internal: 37768 | External: +44 (0) 1903 737768 | E-mail: andrew.wood@arun.gov.uk



From: Aarti O'Leary [REDACTED]
Sent: 15 January 2020 12:09
To: Andrew Wood <Andrew.Wood@arun.gov.uk>
Cc: Juan Baeza <Juan.Baeza@arun.gov.uk>
Subject: RE: Application Ref: R/220/19/PL - 2 Ash Lane, Rustington

Thanks Andrew

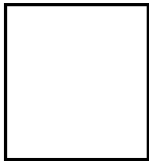
We have sent these to the applicant for review.

In the interim, we previously requested that the wording of Condition 10 be amended to remove reference to refuse and recycling collections. The timing of these collections would not be within the applicant's control and, therefore, this element of the condition would not meet the tests for planning conditions.

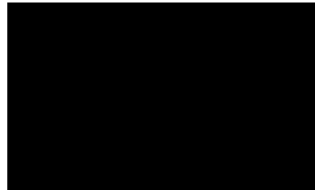
We shall advise of any further comments from the applicant shortly.

Kind Regards

Aarti O'Leary
BSc (Hons), MA (Merit), MRTPI
Associate



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From: Andrew Wood <Andrew.Wood@arun.gov.uk>
Sent: 15 January 2020 11:20
To: Aarti O'Leary [REDACTED]
Subject: RE: Application Ref: R/220/19/PL - 2 Ash Lane, Rustington

Ms. O'Leary

Please see list of conditions and informatives;

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 Elevations & External Seating Area dwg.no. 9379 104 dated July 2019.

Propose Floor Plans dwg.no. 9379 103 dated July 2019

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

3 No development shall take place, 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 parking of vehicles of site operatives and visitors
- f. loading and unloading of plant and materials, including permitted times for deliveries
- g. storage of plant and materials used in constructing the development
- h. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- i. 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)
- j. measures to control the emission of dust and dirt during construction
- k. 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 in accordance with Policy QE SP1 of the Arun Local Plan.

4 Construction work shall not commence unless and until an impact assessment of the noise from the development on the nearest noise-sensitive receptor(s) has been completed and submitted in writing to the Local Planning Authority. The impact assessment shall include noise from deliveries and operation of the development and shall include a noise mitigation scheme. The assessment shall have regard to the principles of BS 4142:2014 and achieve a difference between the measured 'rating' level and the measured 'background' level of at least 5dB(A). A test to demonstrate compliance with the noise mitigation scheme shall then be undertaken by a competent acoustician / consultant before the use commences.

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

5 The use hereby approved shall only be between the hours of 8.00am to 11pm Monday to Saturday and between 9.00am and 10pm on Sundays and Bank Holidays. The use of machinery operations and ventilation associated with the use shall only be between the hours of 8.00am to 11pm Monday to Saturday and between 8.00am and 10pm on Sundays and Bank Holidays.

Reason: To protect the amenities of occupiers of adjoining properties in accordance with Arun Local Plan policies D DM1, QE DM1 and QE DM3.

6 No construction activities shall take place, other than between 08:00 to 18:00 hours (Monday to Friday) and 08:00 to 13:00 hours (Saturday) with no noisy working activities on Sunday or Bank Holidays.

Reason: To protect the amenity of local residents in accordance with Policy QE SP1 of the Arun Local Plan 2011 - 2031.

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

Reason: To protect the appearance of the area / the environment and wildlife / local residents from light pollution in accordance with policy QE DM2 of the Arun Local Plan

8 Prior to the first operation of the premises, a scheme and maintenance schedule for the extraction and treatment of fumes and odours generated from cooking or any other activity undertaken on the premises, shall be submitted to and approved in writing by the Local Planning Authority. Any equipment, plant or process provided or undertaken in pursuance of this condition shall be installed prior to the first operation of the premises and these shall thereafter be operated and retained in compliance with the approved scheme.

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

9 Prior to the first use of the premises, details of any plant (including ventilation, refrigeration and air conditioning) and/or ducting system to be used and the method of control of noise and vibration of this plant shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, retained in perpetuity as agreed and the plant/equipment shall be permanently maintained in good order thereafter.

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

10 Deliveries and collections to and from the premises, including recycling and refuse, shall be made only between the hours of 08.00 and 19.00 Monday to Saturday and 10:00 and 18:00 on Sundays and Bank and Public Holidays.

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

11 The owner(s) of any commercial property (warehouses, offices, etc.) built before 2000 are legally obliged to hold a copy of an asbestos register for each property in their portfolio. The Council need to be satisfied that if any asbestos previously identified is still present, it is either removed or suitably managed to minimise risk to human health as there is no safe threshold for asbestos exposure. A copy of the asbestos register and any remedial strategy (where appropriate), must be provided in writing to the Local Planning Authority prior to any works commencing.

Reason: To protect the amenity of local residents in accordance with Policy QE DM4 of the Arun Local Plan.

12 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 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.

13 INFORMATIVE: Temporary Works Required During Construction

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.

Andrew Wood MRTPI | Senior Planning Officer, Planning Department, Arun District Council |
Location: 1st Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF
Internal: 37768 | External: +44 (0) 1903 737768 | E-mail: andrew.wood@arun.gov.uk

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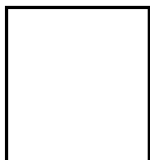
From: Aarti O'Leary [REDACTED]
Sent: 14 January 2020 19:46
To: Andrew Wood <Andrew.Wood@arun.gov.uk>
Subject: Re: Application Ref: R/220/19/PL - 2 Ash Lane, Rustington

Thanks Andrew

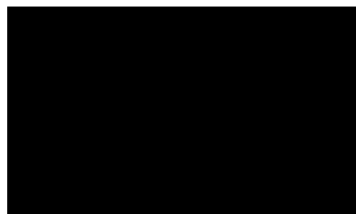
Would it be possible to have a list of the proposed conditions?

Kind Regards

Aarti O'Leary
BSc (Hons), MA (Merit), MRTPI
Associate



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On 14 Jan 2020, at 17:56, Andrew Wood <Andrew.Wood@arun.gov.uk> wrote:

Ms. O'Leary,

I am submitting the report to my line managers tomorrow and hope to get a decision within the next 7 days.

Thank you,

Andrew Wood



From: Aarti O'Leary <[REDACTED]>
Sent: 14 January 2020 16:39
To: Andrew Wood <Andrew.Wood@arun.gov.uk>
Cc: Juan Baeza <Juan.Baeza@arun.gov.uk>; Neil Crowther <Neil.Crowther@arun.gov.uk>
Subject: RE: Application Ref: R/220/19/PL - 2 Ash Lane, Rustington

Dear Andrew

Further to our correspondence last week, we would be grateful for an update on progress with the above application.

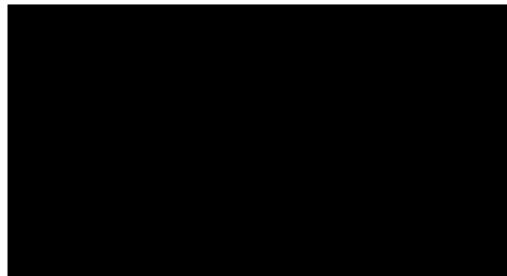
We look forward to hearing from you.

Kind Regards

Aarti O'Leary
BSc (Hons), MA (Merit), MRTPI
Associate

<image003.jpg>

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From: Andrew Wood <Andrew.Wood@arun.gov.uk>
Sent: 10 January 2020 12:49
To: Aarti O'Leary <[REDACTED]>
Subject: RE: Application Ref: R/220/19/PL - 2 Ash Lane, Rustington

Hi Aarti,

Your application is now sitting in a queue for writing up and I cannot see any significant issues at this stage.

Thank you,

Andrew Wood



From: Aarti O'Leary [REDACTED]
Sent: 10 January 2020 12:44
To: Andrew Wood <Andrew.Wood@arun.gov.uk>
Subject: RE: Application Ref: R/220/19/PL - 2 Ash Lane, Rustington

Hi Andrew

Following our telephone conversation on Wednesday 8th January 2020, just wondered whether you've had a chance to review the application and the details below.

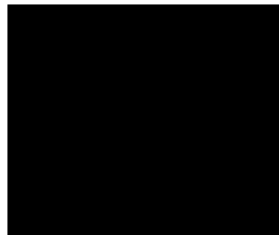
We would be grateful for an update as the client is keen to progress the development as soon as practicable.

Kind Regards

Aarti O'Leary
BSc (Hons), MA (Merit), MRTPI
Associate

 <image005.jpg>

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From: Aarti O'Leary
Sent: 08 January 2020 11:05
To: 'Andrew Wood' <Andrew.Wood@arun.gov.uk>
Cc: 'Juan Baeza' <Juan.Baeza@arun.gov.uk>
Subject: Application Ref: R/220/19/PL - 2 Ash Lane, Rustington

Hi Andrew

Further to our telephone conversation this morning, to assist your review of the application, I have summarised below its progress so far.

- Application validated 19th September 2019;
- Consultation response from WSCC Highways received 1st October 2019 – no objection;
- Resident comment received 4th October 2019 – objection on grounds of too many cafés;

- Neighbour comment received 9th October 2019 – objection on grounds of obstruction to office entrance:
 - This objection was addressed through correspondence between the applicant and the neighbour (see attached), confirming that:
 - The proposed seating area does not use any of the pavement in front of the existing building;
 - There is a solid partition between the application site and the entrance to the first floor offices;
 - The proposals are such that patrons would not be able to spill out onto the pavement or congregate in front of the entrance to the first floor offices;
 -
- Consultation response from Rustington Parish Council received 22nd October 2019 – no objection;
- Resident comment received 28th October 2019 – objection on grounds of potential for late night drinking;
- Consultation response from Environment Health Officer received 12th November 2019 – conditions proposed:
 - We provided a response to the proposed conditions on 22nd November 2019 (see attached email);
- We suggested an extension of the determination period on 22nd November 2019, in light of the fact that the determination deadline of 14th November 2019 had already passed. The case officer advised that he would review the application during week commencing 25th November 2019 and advise on the extended determination deadline. An update was requested on 28th November 2019 but none was provided. A further update request was made on 10th December 2019;
- During a telephone call on 16th December 2019 the case officer advised that the level of marketing activity undertaken was not considered to be sufficient. The applicant's concern regarding the lateness of this advice was raised in an email to the case officer on 16th December 2019. An extension of the determination deadline to 31st January 2020 was agreed in order to allow the outstanding matters to be reviewed and the application determined.
- Additional evidence of ongoing marketing activity was submitted on 20th December 2019.

In light of the fact that 8 weeks have passed since the original determination deadline, we would be grateful if the application could now be progressed expeditiously. We consider that all outstanding matters have now been addressed and that the application should be determined favourably.

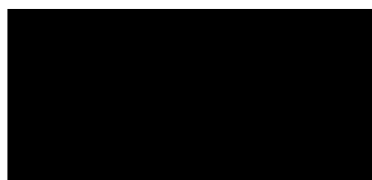
Following your review of the application, we would be grateful if you could circulate a list of the proposed conditions for our review prior to determination.

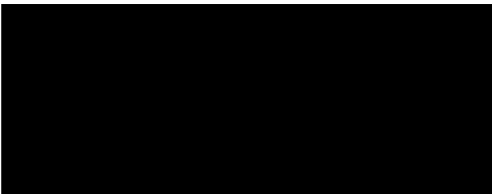
Kind Regards

Aarti O'Leary
BSc (Hons), MA (Merit), MRTPI
Associate

<image005.jpg>

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