

DECISION NOTICE

Application Ref: R/239/24/PL

1 To Addressee

Fellows Planning Limited
62 Carmarthen Avenue
Drayton
Portsmouth
PO6 2AQ

2 Site Address

Condair Building Artex Avenue
Rustington
BN16 3LN

3 Description of Development

Demolition of existing building (facing Brookside Avenue) and redevelopment of the rear of the site for office use, with ancillary storage facilities and landscaping falling within Class E. This application is in CIL Zone 4 and is 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 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:

- Site Location plan 001 P01.
- Proposed site plan 002 P04.
- Proposed elevations 010 P02.
- Proposed floor plans 003 P01.
- Proposed roof plan 004 P01.
- Proposed sections 0011 P02.
- Proposed sections 0012 P02.
- Bin and cycle store proposed elevations 014 P01.
- Site demolition plan 006 P01.

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

- 3 No part of the development hereby approved shall be first brought into use until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use and in accordance with Arun Local Plan policy T SP1.

- 4 No part of the development shall be first brought into use until covered and secure cycle parking spaces have been provided in accordance with the approved site plan and cycle store elevations. 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.

- 5 Prior to the first use the development hereby approved, the applicant or developer shall provide electric vehicle charge points to serve the parking spaces associated with the approved development in accordance with the council's standards as set out in its Parking Standards SPD. This requires EV charging points in 30% of parking spaces (rising to 50% from 2028 and 100% from 2033) with electric ducting provided to all other spaces, to provide passive provision for these spaces to be upgraded in future. 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.

- 6 The approved development shall include energy efficiency measures that reflect the current standards applicable at the time of submission and decentralised, renewable or low carbon energy supply systems. Any physical features that are required as part of the works must be installed prior to the first use of the building and shall be thereafter permanently maintained in good working condition.

Reason: In order to secure a reduction in the use of energy at the site in accordance with national planning policy and Arun Local Plan policy ECC SP2.

- 7 Prior to the first use of the development hereby approved, the ecological enhancements and planting identified and illustrated within Section 8.0 and Figure No. 03 of the submitted Ecological Impact Assessment Version 2 (Prepared by South Downs Ecology and Dated: 16th December 2024) shall be installed and implemented in full. The physical features (non-planted) shall thereafter be retained in good working order and in perpetuity.

Reason: To ensure the development achieves a biodiversity net gain in accordance with Arun Local Plan Policy ENV DM5.

- 8 Prior to the commencement of development (excluding demolition works and site investigations/enabling works), full details of the proposed surface water drainage scheme must be submitted and approved in writing by the Local Planning Authority. The full details submitted for approval shall include:
 1. Winter groundwater monitoring,
 2. Winter infiltration testing strictly in accordance with BRE DG 365 or similar approved,
 3. Details of the proposed method and location of surface water disposal, in accordance with the

SuDS hierarchy,

4. Impermeable area plan,

5. Calculations modelling the surface water drainage network for the following storm events:

a) 100% Annual Exceedance Probability (AEP)

b) 10% AEP + climate change allowance

c) 3.3% AEP + climate change allowance

d) 1% AEP + climate change allowance

All storm events must include an allowance for urban creep and surcharged outfalls where appropriate,

6. Detailed drainage plans conforming to Local Planning Authority guidance,

7. Specifications for all surface water drainage components and associated infrastructure or flow control mechanisms,

8. Any relevant permissions relating to the discharge location, works to watercourses or adoption of the SuDS scheme.

The scheme shall then be constructed as per the approved plans. The surface water drainage scheme shall remain for the lifetime of the development unless agreed in writing by the Local Planning Authority.

For the purposes of this condition, 'Enabling Works' shall comprise the following:

a) site investigations or surveys;

b) the clearance of the Site;

c) the provision of any temporary site point of access for construction traffic; and

d) provision of temporary Welfare & Accommodation

e) temporary builders supply (electricity, water, data etc)

f) works connected with ground infilling or regrading (not foundations)

g) works for the provision or removal of drainage or mains services to prepare the site for development

Reason: In order to comply with Arun Local Plan policies W DM2 and W DM3 and the NPPF. This is required to be a pre-commencement condition as the surface water drainage design goes to the heart of the permission and needs to be installed prior to any development above the drainage systems.

- 9 No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors' buildings, plant, and stacks of materials, provision for the temporary parking of contractors' vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

Reason: To avoid undue congestion of the site and consequent obstruction to access in accordance with Arun Local Plan policies T SP1 and QE SP1. This is required to be a pre-commencement condition because it is necessary to have the construction site set-up agreed prior to access by construction staff.

Statutory Biodiversity Gain Plan Condition

- 10 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act

1990. The following exemption applies:

This planning permission is de-minimis as the development does not impact an onsite priority habitat and the development impacts less than 25 square metres of onsite habitat that has a biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat.

Reason: 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.



Neil Crowther
Group Head of Planning

Case Officer: Harry Chalk

Decision Issued: 12th August 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).