



Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management
Procedure) (England) Order 2015
Application for Planning Permission
DECISION NOTICE

Application Ref: R/258/18/PL

1 To Addressee

Daniel Watney Llp
 165 Fleet Street
 London

EC4A 2DW

2 Site Address

Rustington Convalescent Home
 Sea Road

BN16 2LZ

3 Description of Development

Variation of conditions 2 & 3 imposed under R/187/16/PL relating to amended phases (phase one amended to the conversion of the laundry building, cooks house & dairy & works to the Convalescent Home and phase two amended to the erection of the new build dwellings).

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 14-11-2016, which is the date of the original planning permission R/187/16/PL.

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, 222-A-I-P-00, 222-A-I-01, 222-A-I-P-02, 222-A-I-S-00, 222-A-I-E-00, 222-A-I-E-01, 222-A-I-E-02, 222-A-I-E-03, 222-A-x-SE-00, 222-A-D-E-00, 222-A-E-P-00revA, 222-A-x-SE-01 revB, 222-A-x-SE-02revA, 222-A-2-EXP-00, 222-A-2-P-00, 222-A-A-P-00revB, 222-A-B-P-00revB, 222-A-C-P-00revA, 222-A-D-P-00, 222-A-D-E-00 revA, 222-A-E-P-00 revA, 222-A-X-SP-01 revK, 222.901, 10631012 Basement, Ground, First and Second Floor plans of Home, floor plans and elevations of The Cottage, Carpenters Home, 281/700, 281/100 rev9 and 281/101 revB and phasing plan 222-AX-SP-02 rev N.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

- 3 Unless otherwise agreed in writing by the Local Planning Authority, the development shall be implemented and undertaken in accordance with the phasing details approved on drawing number 222-AX-SP-02 Rev N and any reference in this permission to Phase One or Phase Two shall be to Phase One and Phase Two as shown on drawing number 222-AX-SP-02Rev N. Any reference in this permission to the submission and approval of details shall be construed as referring to matters remaining to be approved in respect of each phase and may be submitted separately for each phase.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

- 4 Prior to commencement of development within Phase 2, a schedule of materials and finishes to be used for external walls and roofs of the proposed buildings in Phase 2 shall be submitted to and approved by the Local Planning Authority. A 'statement of detail' shall be submitted setting out details of proposed windows and doors, details of the depth of recess/reveal from the brickwork, sills and lintels, brick bonding, brick detailing, eaves detailing and rainwater goods. The materials and 'statement of details' so approved shall be used in the construction of the buildings.

Reason: To enable the Local Planning Authority to control the development in details in the interests of amenity by endeavouring to achieve buildings of visual quality in accordance with policy DDM1 of the Arun Local Plan.

- 5 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the dwelling houses shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space, protect the setting of the listed building and safeguard the cohesive appearance of the development in accordance with policy DDM1 of the Arun Local Plan and the NPPF.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking or re-enacting that Order) the buildings shall not be altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.
- Reason: To enable the Local Planning Authority to control the development in detail in the interests of the amenities of the locality in general and the setting of the listed building in accordance with policies DDM1 and HERDM1 of the Arun Local Plan and the NPPF.
- 7 Development shall proceed in accordance with the landscaping scheme approved by the Local Planning Authority under R/40/18/DOC. 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 policy DDM1 of the Arun Local Plan.
- 8 The burning of materials obtained by site clearance or from any other source shall not take place within 6 metres of the furthest extent of the canopy of any tree or group of trees to be retained on the site or on land adjoining.
- Reason: To protect trees and vegetation from fire damage in the interests of the visual amenities of the locality in accordance with policy DDM1 of Arun Local Plan.
- 9 All proposed works to take place within the Root Protection Areas are to follow the submitted Method statements. This includes hard surface removal (as described in section 11 of the submitted Arboricultural Method statement), and also with the installation of no-dig road surface (section 12 of the submitted Arboricultural Method statement).
- Reason: In the interests of the visual amenities of the locality in accordance with policy DDM1 of Arun Local Plan.
- 10 All proposed protective fencing (meeting the BS 5837 standard) must be erected before any site works begin. Equally all protective fencing must be kept in place until the completion of the proposed development, as specified in section 6 of the Arboricultural Method statement.
- Reason: In the interests of the visual amenities of the locality in accordance with policy DDM1 of Arun Local Plan.

- 11 If any root is discovered with a diameter of over 25 mm diameter, which requires severing then the Arun District Council tree officer must be informed to supervise any pruning.
- Reason: In the interests of the visual amenities of the locality in accordance with policy DDM1 of Arun Local Plan
- 12 Prior to occupation of each phase, details of the vehicular access serving the relevant phase of development and refuse vehicle turning space for that phase shall be constructed in accordance with further details to be submitted to and approved by the Local Planning Authority.
- Reason: In the interests of road safety and to accord with approved policy in accordance with policy DDM1 of the Arun Local Plan
- 13 Prior to the occupation of Phase Two, provision shall be made within the site in accordance with details to be submitted to and approved by the Local Planning Authority to prevent surface water discharging onto the public highway.
- Reason: In the interests of road safety and to accord with approved policy in accordance with policies TSP1 and DDM1 of the Arun Local Plan.
- 14 Prior to the occupation of Phase Two, visibility splays of 2.4m by 43m shall have been provided at the proposed site vehicular access onto Sea Road in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free from any obstruction to visibility in excess of 0.6 metres above the level of the adjoining carriageway level or as otherwise agreed.
- Reason: In the interests of road safety in accordance with policies TSP1 and DDM1 of the Arun Local Plan.
- 15 Prior to occupation of each phase the car parking spaces for the relevant phase shall be constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority and such provision shall thereafter be used only for the parking of cars.
- Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of adjacent highways in accordance with policy DDM1 of the Arun Local Plan.
- 16 Prior to the occupation of each phase, covered and secure cycle parking spaces for the relevant phase shall be provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority and such provision shall thereafter be used only for the parking of cycles.
- Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of adjacent highways in accordance with policy DDM1 of the Arun Local Plan.

- 17 The Construction Management Plan approved under R/43/18/DOC shall be implemented and adhered to throughout the entire construction period.
- Reason: To ensure safe and neighbourly construction in the interests of amenity and road safety in accordance with policy DDM1 of Arun Local Plan.
- 18 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment(FRA) and the following mitigation measures detailed within the FRA:
- Finished floor levels are set no lower than 300mm above existing ground level or the 1 in 200 tidal flood event with climate change whichever is the greater.
- The mitigation measures for each phase shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority (LPA).
- Reason: To reduce the risk of flooding to the proposed development and future occupants. In accordance with policy WDM2 of the Arun Local Plan.
- 19 Construction of Phase Two of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.
- Reason: To ensure that the development is satisfactorily drained in accordance with policy WSP1 of Arun Local Plan.
- 20 No unit for that phase shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the details agreed under R/85/18/DOC 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 WDM3 of the Arun District Local Plan.
- 21 Prior to occupation of Phase One or Phase Two formal consent in that phase shall be approved in writing from the Lead Local Flood Authority (WSCC) or its agent (ADC) for the discharge of any flows to watercourses, or the culverting, diversion, infilling or obstruction of any watercourse on the site.
- Any discharge to a watercourse must be at a rate no greater than the pre-development run off values.
- Reason : To ensure that the proposed development is satisfactorily drained in accordance with policies WDM3 and WDM2 of the Arun Local Plan.

- 22 Upon completion of the construction of the SuDs System, approved under R85/18/DOC the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure the efficient maintenance and on going operation of the SuDs system and to ensure the best practice in line with guidance set out in 'The SuDs Manual' CIRIA publication ref: C697 Chapter 22

- 23 Prior to the installation of any external lighting within each phase precise details of the position, luminosity and design of the external lighting shall be submitted to and approved by the Local Planning Authority and the development shall proceed in accordance with the approved details.

Reason: In the interests of the setting of the listed building in accordance with Arun Local Plan policies DDM1 and QEDM2 and the National Planning Policy Framework.

- 24 The development shall proceed in accordance with the recommendations set out in the Extended Phase 1 Habitat Survey by PJC Ecology dated June 2013.

Reason: To ensure that the ecological value of the site is maximised in accordance with policy ENVDM5 of Arun Local Plan.

- 25 Prior to the occupation of the Phase Two dwellings hereby approved, a detailed Management Scheme which shall include details of grass cutting management, regular repair and repainting of dwellings, control over the cohesive uniformity of the development, maintenance of landscaping and control over additional structures including aerials and satellite dishes, changes to windows/doors, re-pointing, alterations to front garden areas, driveways etc shall be submitted and approved by the Local Planning Authority.

Reason: In the interests of the setting of the listed building in accordance with policy DDM1 of Arun Local Plan and the National Planning Policy Framework

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.

INFORMATIVE: The internal layout has been considered by a senior engineer in the implementation team at WSCC. It is unclear from any of the submitted drawings if the roads are to be offered for adoption. If this is the case it would need to be clarified what is intended for adoption.

The internal roads appear to be very narrow, 4.8m wide in some sections (including footways/verge) e.g. at block E. It would be helpful for the designer to dimension the drawing, i.e. give widths of carriageways, verges, footways etc. The carriageway looks even narrower around Block C.

INFORMATIVE: Application for a S278 Agreement to cover the off-site highway works should be made to WSCC as Highway Authority. Full details are available on the WSCC website. The applicant is requested to contact The Implementation Team Leader (01243 642105) to

commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

INFORMATIVE: Where possible any new entry doors and any ground floor or any easily accessible windows should conform to PAS 024 2012.

INFORMATIVE: Lighting throughout the development should conform to the recommendations in BS 5489 2013.

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 (0330 303 0119) or www.southernwater.co.uk

INFORMATIVE: A formal application for connection to the water supply is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (0330 303 0119) or www.southernwater.co.uk

INFORMATIVE: Detailed design of the proposed drainage system should take into account the possibility of the surcharging within the public sewerage system in order to protect the development from potential flooding.

INFORMATIVE: This decision has been granted in conjunction with a Section 106 legal agreement relating to the provision of funds from the development being applied to the charity endowment fund or the repair and maintenance of the Convalescent Home and that the repairs are completed prior to occupation of 75% of the units.

INFORMATIVE: For the avoidance of doubt this permission is granted without the provision of play area which was included in the original application prior to amendment.

Case Officer: Mrs A Gardner

Date of Decision:

15 April 2019



Neil Crowther
Group Head of Planning

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 12 weeks 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.

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