

DECISION NOTICE

Application Ref: R/60/22/PL

1 To Addressee

Bayside Architectural Design Ltd
19 Pyford Close
Bognor Regis
PO21 3NL

2 Site Address

The Windmill Inn
Mill Lane
Rustington
BN16 3JN

3 Description of Development

Extension and remodelling of existing public house to form hotel with 20 No bedrooms and associated parking and landscaping. This site is in CIL Zone 4 (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:
Location and Block Plan PL- 01- Rev B.
Proposed Ground and First Floor Plans PL- 03 Rev D
Proposed Elevations PL- 05 Rev A
Proposed Second Floor Plan and Roof Plan PL- 04 Rev B
Proposed Site Plan PL- 02 Rev D

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 above damp-proof course (DPC) level shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping, replacement tree planting and details of existing trees to be

retained. 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 D DM1 of the Arun Local Plan.

- 4 No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide adequate on-site car parking space for the development in accordance with policy T SP1 of Arun Local Plan.

- 5 With the exception of trees T1 and T2 the existing trees shall be/retained/protected before the development commences for the duration of the development in accordance with the details set out in the Arboricultural Report and Statement by Phillip Ellis Tree Care Consultant ref TR/WI/201/22.

Reason: To ensure the retention of vegetation important to visual amenity and ecology in accordance with policies D DM1 and ENV DM4 of the Arun Local Plan.

- 6 No part of the development shall be first occupied until the covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies in accordance with policy T SP1 of Arun Local Plan.

- 7 In addition to landscaping, biodiversity enhancements shall be incorporated in the scheme in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The enhancements shall be provided before the use commences and shall be retained in perpetuity.

Reason: To improve biodiversity in accordance with policy ENV DM4 of the Arun Local Plan.

- 8 No development above damp-proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for external walls of the proposed extensions have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extensions.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

- 9 The development shall at all times proceed in accordance with the ventilation details within the submitted Ventilation Services Strategy Report.

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

INFORMATIVE: The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. 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: 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.



Neil Crowther
Group Head of Planning

Case Officer: Mrs A Gardner
Decision Issued: **25th August 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).