



# Public Document Pack

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Committee Manager Carrie O'Connor

5 June 2019

## Development Control Committee

A meeting of the Development Control Committee will be held in Council Chamber - Council Chamber on the Wednesday 5th June 2019 **at 2.30 pm** and you are requested to attend.

Members: Councillors Bennett (Chairman), Thurston (Vice-Chair), Baker, B Blanchard-Cooper, Bower, Charles, Coster, Hamilton, Lury, Oliver-Redgate, Northeast, Pendleton, Roberts, Stainton and Yeates

**PLEASE NOTE THAT THE ORDER OF THE AGENDA MAY BE ALTERED AT THE DISCRETION OF THE CHAIRMAN AND SUBJECT TO THE AGREEMENT OF THE MEMBERS OF THE COMMITTEE**

**PLEASE ALSO NOTE THAT PLANS OF THE APPLICATIONS DETAILED IN THE AGENDA ARE AVAILABLE FOR INSPECTION AT THE COUNCIL'S PLANNING RECEPTION AT THE CIVIC CENTRE AND/OR ON LINE AT [www.arun.gov.uk/planning](http://www.arun.gov.uk/planning)<<http://www.arun.gov.uk/planning>>**

## AGENDA

19. OFFICER REPORT UPDATES (Pages 1 - 28)  
Circulated at the meeting.

Note : \*Indicates report is attached for all Members of the Council only and the press (excluding exempt items). Copies of reports can be obtained on request from the Committee Manager).

Note : Members are reminded that if they have any detailed questions would they please inform the Chairman and/or relevant Director in advance of the meeting.

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**DEVELOPMENT CONTROL COMMITTEE**

**5 JUNE 2019**

**OFFICER REPORT UPDATES**



## **COMMITTEE REPORT UPDATE**

### **BE/135/18/PL – SALT BOX**

#### **Reason for Update/Changes:**

1. The applicant has requested amendments to the following conditions:

#### **FULL:**

Condition 2: the reference to plans “with the exception of plans showing attenuation basins” may need to be revised since the basins are intended presently to stay as features rather than as part of the drainage solution.

Condition 4: This does not need to be a pre-commencement condition.

Condition 15: The sentence “and is fit for purpose” is not reasonable or practicable. In terms of the independent person agreeing the drainage scheme to be “fit for purpose”, if that could be changed to “built in accordance with the approved details” then that would be acceptable.

Condition 34: Could the hours for Unit 9 (the car showroom) be extended to 0700-1900 hours Monday-Saturday to cover occasional work post 1800 hours at peak times?

Condition 43: Is the levels condition required?

#### **OUTLINE:**

Condition 13: The sentence “and is fit for purpose” is not reasonable or practicable. In terms of the independent person agreeing the drainage scheme to be “fit for purpose”, if that could be changed to “built in accordance with the approved details” then that would be acceptable.

2. A late letter has been received from a local resident raising concerns about traffic congestion on the local road network and the impact of the proposed development on town centre shops.
3. A revised surface water drainage strategy has been submitted by the applicant which includes the provision of underground storage tanks and negates the need for on-site attenuation basins.

#### **Officers Comments:**

1. Officer comments on each condition set out below:

#### **FULL:**

Condition 2: Agree to remove “with the exception of plans showing attenuation basins”.

Condition 4: Agree that this should not be a pre-commencement condition but should be amended to read “Within 3 months of the date of this permission ...”

Condition 15: Agree to the proposed wording replacing “fit for purpose” with “built in accordance with the approved details”. This is better as the sentence “and is fit for purpose”

is not reasonable or practicable. No developer would build a drainage solution agreed with the LPA only to have it declared as unfit for purpose when completed, and no third party engineer will be able to warrant its fitness for purpose under their personal insurance cover.

Condition 34: Agree to extend the working hours to 0700-1900 Monday-Saturday so as to cover occasional work post 1800 at peak times. This extension of time for an additional hour until 1900 hours to cover occasional work would not impact adversely on amenity as the proposed hours are less than those permitted for the drive-thrus in Units 4 and 5 and the deliveries to the foodstore in Unit 8 which are up to 2000 hours.

Condition 43: This levels condition is still required due to the size of the site and the nature of the proposed industrial/commercial development in terms of surface water drainage and visual appearance.

#### OUTLINE:

Condition 13: Agree to the proposed wording replacing "fit for purpose" with "built in accordance with the approved details".

Amend Conditions 4, 15 and 34 of the FULL to read:

"4. Within 3 months of the date of this permission, an external lighting scheme should be submitted for approval in writing by the Local Planning Authority, to prevent operation during daylight hours; facilitating reduced coverage between midnight and 6.00am to satisfy minimum security requirements and reduce light pollution during unoccupied hours.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity, in accordance with Policy D DM1 of the Arun Local Plan."

"15. Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved details. The scheme shall thereafter be maintained 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."

"34. No machinery shall be operated in Unit 9 (the car showrooms) and no process shall be carried out from the site except between the hours 7.00 – 19.00 Monday to Saturday and 8.00 – 18.00 Sundays and Public Holidays.

Reason: To protect neighbouring amenity, in accordance with Policy D DM1 of the Local Plan."

Amend Condition 13 of the OUTLINE to read:

"13. Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was

built in accordance with the approved details. The scheme shall thereafter be maintained 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.”

2. The issues of traffic congestion and the impact of the proposed development on the town centre have been addressed in the Committee report.
3. The revised surface water drainage strategy which has been submitted by the applicant is currently being assessed by the LPA.

The Recommendation should be amended to read:

The recommendation is that the Development Control Committee delegate to the Group Head of Planning (in consultation with the Chairman and the Vice Chairman) authority to:

- a. Authorise the execution and completion of the Section 106 Agreement;
- b. Make amendments to the drainage conditions (Condition 12 of Full; and Condition 10 of Outline) to reflect the drainage scheme when finalised, including subsequent amendments to plans listed in Condition 2 of the Full and Condition 4 of the Outline; and
- c. Grant planning permission subject to conditions and the S106 Agreement.

## REPORT UPDATE

**Application no:** BR/311/18/PL  
**Page no:** 35  
**Location:** Land to the east of University of Chichester Upper Bognor Road Bognor Regis  
**Description:** Erection of 176 bedroom student accommodation building with associated hard & soft landscaping. This application may affect the setting of listed buildings, may affect the character & appearance of the Upper Bognor Road, Mead Lane Conservation Area & is a Departure from the Development Plan.

### UPDATE DETAILS

#### Reason for Update/Changes:

The applicant objects to the wording of condition 6 which states that: "The accommodation shall only be occupied by students enrolled on full-time courses at further and higher education establishments or students working at a medical or educational institution, as part of their medical or education course"

The applicant states that whilst the main use of the proposed development will be for full time undergraduate and postgraduate students attending courses at the University, the University also provide a programme of courses and professional conferences during the summer months for students, academics and professionals. The accommodation will continue to be directly managed by the University, including housing management and security services. The condition would prevent the University from using what would be their newest on campus accommodation for use for such events and would render the accommodation empty for around 4 months of the year

The applicant therefore proposes a change to the wording:

"The accommodation shall only be occupied by those enrolled on courses or attending academic or professional events at the University."

#### Officers Comment:

There is no objection to this change and it is shown within the attached replacement recommendation sheet.



Erection of 176 bedroom student accommodation building with associated hard & soft landscaping. This application may affect the setting of listed buildings, may affect the character & appearance of the Upper Bognor Road, Mead Lane Conservation Area & is a Departure from the Development Plan.

Land to the east of University of Chichester  
Upper Bognor Road  
Bognor Regis

## RECOMMENDATION

ACS - App Cond sub to S106

- 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:

Dwg. 151933-AP\_001 Rev P01 "Site Location Plan";  
Dwg. 17001 Rev P14 "Site Plan";  
Dwg. V0002 "Shadow Study 1";  
Dwg. V0003 "Shadow Study Based on Previous Scheme";  
Dwg. V0003 Rev P01 "Shadow Study 2 - Current and Approved Scheme Comparison";  
Dwg. 01001 "Proposed Ground Floor Plan";  
Dwg. 01002 "Proposed First Floor Plan";  
Dwg. 01003 "Proposed Second Floor Plan";  
Dwg. 01004 "Proposed Third Floor Plan";  
Dwg. 01005 "Proposed Fourth Floor Plan";  
Dwg. 01006 "Proposed Fifth Floor Plan";  
Dwg. 02001 "Proposed East and South Elevations";  
Dwg. 02002 "Proposed North-West and North-East Elevations";  
Dwg. 02003 "Proposed West and South-West Elevations";  
Dwg. 03001 "Section Sheet 1";  
Dwg. 03002 "Section Sheet 2";  
Dwg. 03003 "Section Sheet 3";  
Dwg. 17002 Rev P01 "Proposed Landscaping Plan";  
Dwg. V0003 Rev P01 "CGI Views of Proposed Building in Context";  
Dwg. V0006 Rev P01 "Building Superimposed on Site Photograph";  
Dwg. 02007 Rev P16 "South West Elevation - View Range From Neighbouring Property"; and  
Dwg. 17004 Rev P01 "Site Plan with Hook Lane Overlay".

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies D DM1, T SP1, HER DM1, HER DM3, QE DM1, QE DM2 and QE SP1 of the Arun Local Plan..

- 3 The development hereby approved shall be carried out in accordance with the agreed proposed surface water drainage scheme which consists of the following drawings/documents:

"Standard Drainage Details" Dwg OUCC-ACM-ZZ-05-DR-DR-30001 Rev P02;  
"Section Through Attenuation" Dwg OUCC-ACM-ZZ-05-DR-DR-30002 Rev P02; and  
"Drainage Strategy" ref 60580070 April 2019.

The new building shall not 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.

- 4 The development shall be carried out in accordance with ecological enhancement measures detailed in the Extended Phase 1 Report (Version 3) submitted with application BR/54/16/PL unless otherwise agreed in writing. The enhancements and mitigation measures shall be retained and thereafter maintained.

Reason: In accordance with Arun Local Plan policy ENV DM5 and the National Planning Policy Framework.

- 5 The development permitted shall only be carried out in accordance with the approved Flood Risk Assessment Addendum Report dated March 2019 and the following mitigation measures detailed within it:

1. Finished floor levels are set no lower than 2.75m above Ordnance Datum (AOD).

The mitigation measures 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.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Arun Local Plan policy W DM2 and the National Planning Policy Framework.

- 6 The accommodation shall only be occupied by those enrolled on courses or attending academic or professional events at the University.

Reason: The Local Planning Authority has granted permission on the grounds that the accommodation will be used in connection with Chichester University and it is necessary to impose such a control to ensure the building is not sometime in the future occupied as a HMO. In accordance with policies C SP1, EMP SP2 and H SP4 of the Arun Local Plan.

- 7 No development shall take place, including any works of demolition, until a Construction & Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority (who shall consult with West Sussex County Council and the Councils Environmental Health Officers). 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

- An indicative programme for carrying out of the works;
- The anticipated number, frequency and types of vehicles used during construction;
- The method of access and routing of vehicles during construction;
- The parking of vehicles by site operatives and visitors;
- The loading and unloading of plant, materials and waste, including permitted times for deliveries;
- The storage of plant and materials used in construction of the development;
- The erection and maintenance of security hoarding, including decorative displays and facilities for public viewing, where appropriate;
- 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 Regulation Orders);
- Details of the arrangements for public engagement / consultation both prior to and continued liaison during the construction works;
- 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);
- measures to control the emission of dust and dirt during construction;
- Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination; and
- A scheme for recycling / disposing of waste resulting from demolition and construction works.

Reason: In the interests of the amenity of the occupiers of any nearby noise sensitive premises, the general amenities of the area and in the interests of highway safety in accordance with policies D DM1, QE SP1, QE DM1, QE DM2, QE DM3 and T SP1 of the Arun Local Plan and the National Planning Policy Framework. This is required to be a pre-commencement condition because it is necessary to have the site set-up agreed prior to access by construction staff.

- 8 No development shall commence until a scheme has been submitted to and approved by the Local Planning Authority which specifies the provisions to be made for the control of noise emanating from the building. Thereafter, the building shall not be occupied unless and until the approved scheme has been fully implemented.

Reason: To protect the amenities of occupiers of nearby residential properties in accordance with

Arun Local Plan policy QE DM1. It is considered necessary for this to be a pre-commencement condition because the noise control measures may need to be incorporated into the fabric of the building.

- 9 Prior to the commencement of construction works details of a proposed foul drainage system shall be submitted to and approved in writing by the Local Planning Authority (including details of its siting, design and subsequent management / maintenance) and no dwelling shall be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details.

Reason: To ensure that the proposed development has a satisfactory means of disposing of foul sewerage in accordance with policies W DM1 and W DM3 of the Arun Local Plan. It is considered necessary for this to be a pre-commencement condition because it would not be possible to implement a foul drainage scheme once development had been completed.

- 10 Development shall not commence until full details of measures to be undertaken to protect existing public sewers have been submitted and approved in writing by the Local Planning Authority in conjunction with Southern Water. The building shall not be occupied until the measures in respect of protecting sewers have been completed in accordance with the agreed details.

Reason: To ensure that the proposed development does not result in any damage to the existing foul sewer in accordance with policies W DM1 and W DM3 of the Arun Local Plan. This is required to be a pre-commencement condition because new development has the potential to cause damage to any sewer crossing the site.

- 11 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 and roofs of the building have been submitted to and approved 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 amenity and the character and appearance of the nearby heritage assets in accordance with policies D DM1, HER DM1 and HER DM3 of the Arun Local Plan.

- 12 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 and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. 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 District Local Plan.

- 13 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 scheme for the creation of new reptile habitat within the site (or in an alternative location as agreed) to include rough grassland margins, hibernacula, scrub and open basking areas within a dedicated reptile enhancement area. The approved scheme shall be carried out in the first planting and seeding season, following the occupation of the building or the completion of the development, whichever is the sooner, and any 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 accordance with Arun District Local Plan policy ENV DM5 and the National Planning Policy Framework.

- 14 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 scheme to show the location of a fire hydrant to serve the development. The fire hydrant shall be provided in accordance with the approved details before the first occupation of the development and shall be retained thereafter.

Reason: In the interests of amenity and fire safety in accordance with policy D DM1 of the Arun Local Plan.

- 15 No part of the development shall be first occupied until an amended version of the existing University Sustainable Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the

Highway Authority.

Reason: To encourage and promote sustainable transport in accordance with the National Planning Policy Framework and policies T SP1 and T DM1 of the Arun Local Plan.

- 16 The development shall not be occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will incorporate decentralised, renewable and low carbon energy supply systems in accordance with the recommendations of the submitted "University of Chichester - Student Accommodation Phase 1" (Rev 0, 16 November 2018) (or a different document as otherwise agreed). The approved scheme shall thereafter be implemented prior to occupation of the building and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: To ensure that the development is energy efficient and in accordance with policy ECC SP2 of the Arun Local Plan

- 17 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 submitted to and approved by the Local Planning Authority. The spaces shall be permanently retained and maintained in good working condition.

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

- 18 There shall be no partial occupation of the building whilst works to complete the development are continuing other than where a scheme has been submitted to and approved by the Local Planning Authority which specifies the measure to protect occupants from noise and vibration. In such cases, the approved scheme shall then be implemented in full prior to partial occupation of the building. This condition does not apply in cases of any post completion future internal works.

Reason: To protect the amenities of occupiers of nearby residential properties in accordance with Arun Local Plan policy QE DM1.

- 19 Details, including acoustic specifications, of all fixed plant, machinery and equipment associated with air moving equipment including fans, ducting and external openings, compressors, generators or plant or equipment of a like kind, installed within the site which has the potential to cause noise disturbance to any noise sensitive receivers, shall be submitted to and approved by the Local Planning Authority before installation of such plant/machinery/equipment. The rating level of noise emitted from the use of this plant, machinery or equipment shall not exceed the measured background sound level when assessed by a competent acoustician using BS 4142:2014, at any adjoining or nearby noise sensitive premises. The approved plant/machinery/equipment shall thereafter be implemented in accordance with the agreed details and permanently retained in good working condition.

Reason: To protect the amenity of local residents in accordance with policies QE DM1 and QE SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 20 No external lighting shall be installed on the building or elsewhere within the application site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The scheme should seek to conform with the recommendations within BS5489:1-2013 and shall also minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Once the approved lighting has been installed a verification report shall be submitted to the Local Planning Authority to demonstrate that the light trespass does not exceed 5 Lux beyond 5m of the site boundaries.

Reason: In the interests of the amenities of the area, the site biodiversity (particularly in respect of bats), the interests of minimising crime and to minimise unnecessary light spillage outside the development site in accordance with policies QE SP1, QE DM2 & ENV DM5 of the Arun Local Plan.

- 21 In the event that contamination is found at any time during the carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. All works must stop immediately and an investigation and risk assessment must be undertaken in accordance with the requirements of the local authority contaminated land officer. Where remediation is necessary, remediation scheme must be prepared in accordance with the local authority contaminated land officer guidance and which is subject to approval in writing of the Local Planning Authority.

Reason: To ensure that the development complies with approved details in the interests of protection

of the environment and prevention of harm to human health in accordance with policy QE DM4 of the Arun Local Plan.

- 22 No removal of trees, shrubs or other vegetation that may contain birds' nests shall take place between 1st March and 31st August inclusive, unless a suitably qualified ecologist/wildlife specialist has undertaken a careful, detailed, check of vegetation for active birds' nests immediately before the vegetation is cleared and confirmed that no nests will be harmed. Where nests are discovered, the vegetation shall remain in place until nesting activity has ended naturally and the ecologist has confirmed that it is safe to proceed.
- Reason: To prevent interference with the breeding success of wild birds in the interests of biodiversity conservation, as well as to ensure compliance with the legal protection of birds, their nests and eggs under Section 1 of the Wildlife and Countryside Act 1981, as amended and in accordance with policy ENV DM5 of the Arun Local Plan.
- 23 No deliveries by commercial vehicles shall be taken or despatched from the site outside of the following times (7.00am - 6.00pm Mondays to Saturdays), nor at any time on Sundays, Bank Holidays or Public Holidays.
- Reason: In the interests of amenity in accordance with the Arun Local Plan Policies QE SP1 and QE DM1.
- 24 The flat roofs on the student accommodation building are not to be used as amenity space or balconies at any time.
- Reason: In the interests of the amenity of nearby residential properties in accordance with policies D DM1 and QE SP1 of the Arun Local Plan.
- 25 No Students residing in the accommodation will be permitted to keep a car on site. The University will manage this through a 'No Car' clause in the student tenancy agreement. Prior to commencement a copy of the standard tenancy agreement will be submitted for approval in writing by the Local Planning Authority.
- Reason: The development is subject to maximum parking standards where parking is limited and alternative means of transport are provided as secured in the Travel Plan. In accordance with policies T SP1 and T DM1 of the Arun Local Plan.
- 26 **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. 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.
- 27 **INFORMATIVE:** This decision has been granted in conjunction with a Section 106 legal agreement relating to a contribution of £2,640 to be used towards the supply and installation of additional fire safety equipment to vulnerable persons homes in the West Sussex Fire Rescue Services Southern Area serving Bognor Regis. To be paid prior to commencement.
- 28 **INFORMATTIVE:** 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 (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk). Please read our New Connections Services Charging Arrangements documents which is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.
- 29 **INFORMATIVE:** The Environment Agency would recommend as previously discussed with the original FRA consultant that a weedscreen be fitted to the culvert entrance which conveys water under Felpham Way, to prevent large blockages, thus increasing localised flood risk, which is known to have occurred.. Any works in under or over, or within 3 - 5 metres of the watercourse bank edges, a flood defence consent will be required from the Lead Local Flood Authority.
- 30 **INFORMATIVE:** In the interests of crime prevention and deterrence, the development should incorporate security measures in accordance with the consultation advice of Sussex Police as available on the Councils website.
- 31 **INFORMATIVE:** The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information please contact the Environmental Health Department on 01903 737500.

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**INFORMATIVE:** The applicant's attention is drawn to the requirements of the Environmental Protection Act 1990 and the Clean Air Act 1993 with regard to burning on site. A 'Statutory Nuisance' may be caused by smoke and ash from fires or noise from the cutting or chipping trees. In addition, air quality could be adversely affected on large projects. The granting of this planning permission does not permit a statutory nuisance to be caused. The Environment Agency should also be contacted regarding Exemption Permits to burn on site.

## REPORT UPDATE

**Application no:** FP/249/18/PL  
**Page no:** 73  
**Location:** 22 North Way Felpham  
**Description:** Replacement of existing bungalow with 1 No. chalet bungalow (to approved design FP/259/17/HH).

### UPDATE DETAILS

Reason for Update/Changes: Amended Plans received

Officers Comment:

Amended plans have been received which show changes including an additional parking space being provided to the front and the addition of steps to the rear.

Therefore the Parish Council has been notified as required by law for a further period of up to 21 days. The recommendation is amended to delegate the decision to the Head of Planning who will consider further representations made by the Parish Council. It should be noted that one of the concerns of the Parish was parking - two spaces are now clearly marked.

Should approval be granted condition 2 will need to be amended to reflect the new plans that have been submitted so it would now read:-

The development hereby approved shall be carried out in accordance with the following approved plans:

Location Plan - 236/01 (with the exception of parking details)  
Proposed Plans - 236/04B  
Proposed Elevations - 236/05A Rev B  
Proposed external works - 236/07

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.

## REPORT UPDATE

**Application no:** FG/29/19/PL  
**Page no:** 91  
**Location:** South Point 1 Beehive Lane Ferring  
**Description:** Erection of 1 No. 2 bed dwelling

### UPDATE DETAILS

Reason for Update/Changes:

Landscape Officer comment: No Objection

As this is a proposal for a single dwelling there would be no requirement for play area contribution. However greening to soften the development is required on a development of any kind. Any areas need to be attractive and appropriately designed.

The landscape Detailed Planting Plan RCo 155/02 Rev 04 has provided a scheme which is varied, detailed and proposes a scheme which is appropriate for location. The detail shown has incorporated blocks of planting, specimen plants and trees. The inclusion of specimen shrubs and trees will give a certain degree of instant screening which will assist in blending the proposals into its surrounding, offering some screening and increasing the biodiversity of the site.

The plans have detailed a scheme showing plant species, planting densities and size at time of planting.

My recommendation is that the detail provided is appropriate for location and in sufficient detail. I would recommend no landscape objection, subject to the landscaping being implemented ideally before occupation and no later than the first planting season post completion.

Officers Comment:

The suggested condition is already included in the recommendation.



## REPORT UPDATE

**Application no:** FG/35/19/PL  
**Page no:** 91  
**Location:** Quercus Nursery Littlehampton Road Ferring  
**Description:** Variation of condition 2 following a grant of planning permission FG/52/18/PL - permit deliveries to be made to the site by HGVs. No more than 5 times per week between the hours of 05.00 & 06.00 & in addition to deliveries made during the hours of 06.00 to 19.00.

### UPDATE DETAILS

#### Reason for Update/Changes:

An Informative has been added to the conditions and reads:

"If any deliveries are made outside of the hours stipulated or in excess of the number allowed in condition 1 of this Decision Notice a Breach of Condition Notice will follow."

Operating restrictions on adjoining & nearby sites on Littlehampton Road have been researched and are as follows:

Lansdowne Nursery - to the West  
No restriction

Highdown Vineyard - to the East  
Refreshment area ancillary to vinery - 10:00 to 22:30 Monday to Friday, 10:00 to 23:00 on Saturdays & 10:00 to 17:30 on Sundays.  
(No restriction on vinery)

Hangleton Farm Livery Stables/Eastlands Stables - to the North  
No restriction on foaling unit.

Hillview/Highdown Nurseries/McIntyres - to the Northeast  
COU from nursery to B8/wholesale fencing - 07:30 to 17:00 Monday to Friday, 08:00 to 12:00 on Saturdays and no time on Sundays or Public holidays.

Wyevale Garden Centre - to the West  
No restriction

Honda - to the West  
08:00 to 19:00 Monday to Saturday and 08:00 to 18:00 on Sundays & Public Holidays

Yeomans - to the West  
08:00 -19:00 Monday to Saturdays and 08:00 to 18:00 on Sundays (Does not include Public Holidays)

Yeomans workshop  
08:00 to 18:00 Monday to Friday & 08:00 to 13:00 on Saturdays.

Asda Stores - to the Southwest

Main store - 06:00 to 00:00 on any day with 24 hour opening from the 20th to the 24th December for Christmas 2019.

External retail pod (forward of front elevation to main store building) - 06:00 to 00:00 on any day.  
Asda Garage - 07:00 to 22:30 Monday to Saturday and 10:00 to 17:00 on Sundays and Public Holidays. Fuel Tanker Delivery times are restricted to 06:00 to 23:00 hours Monday to Saturday and 07:00 to 23:00 hours on any Sunday, Public or Bank Holiday with the exception that the delivery vehicle shall vacate the site by no later than 23:00 hours.

An additional representation from a local resident has been received.

This indicates there was a breach of the existing delivery restrictions with a lorry recorded entering the site around 4am yesterday (04-06-2019) which was unloaded totally unsupervised. The lorry drivers come and go as they please and they don't care if they wake up neighbours.

How can a 5am delivery be acceptable? The 6am time is in itself early, but they don't abide by the times set by the committee, as shown on numerous occasions. Whilst the enforcement team don't take action the drivers do whatever they want.

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Variation of condition 2 following a grant of planning permission FG/52/18/PL - permit deliveries to be made to the site by HGVs. No more than 5 times per week between the hours of 05.00 & 06.00 & in addition to deliveries made during the hours of 06.00 to 19.00.

Quercus Nursery  
Littlehampton Road  
Ferring

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## RECOMMENDATION

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AC - Approve Conditionally

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- 1        There shall be no deliveries undertaken between 1900 hours and 0600 hours except for no more than 5 deliveries per week (Tuesday to Saturday inclusive) to be undertaken by one vehicle only between the hours of 05.00 and 06.00 hours on any one day.

Reason: In the interests of the amenity in accordance with Arun Local Plan policies QE SP1 and QE DM1.

- 2        **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.
- 3        **INFORMATIVE:** This permission relates to the variation of condition 2 of planning permission FG/52/18/PL only. The applicant is advised and reminded that the planning conditions attached to the original planning permission number FG/52/18/PL remain in force and must be complied with. This decision only relates to the variation of Condition 2 of that planning permission.
- 4        **INFORMATIVE:** The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received.
- 5        **INFORMATIVE:** If any deliveries are made outside of the hours stipulated or in excess of the number allowed in condition 1 of this Decision Notice a Breach of Condition Notice will follow.

## REPORT UPDATE

**Application no:** M/155/18/PL  
**Page no:** 121  
**Location:** 5 Central Drive Middleton-On-Sea  
**Description:** Replacement dwelling (resubmission following M/114/18/PL).

### UPDATE DETAILS

Reason for Update/Changes:

- 1) Condition 3 to include the side elevation glazed panels of the first floor balcony.
- 2) The report refers to a large cedar tree. The tree was in fact a Monterey Cypress tree.
- 3) The Monterey Cypress tree was located on the neighbouring plot at 7 Central Drive however it was not covered by a Tree Preservation Order. It was felled yesterday by the next door neighbours. This took place in the interim period between the initial site visit to the property and consideration by Development Control Committee.
- 4) Condition 4 has been amended to reflect the absence of the Monterey Cypress and condition 5 relating to the pruning of the Monterey Cypress has been removed.

Note: The changes to conditions 4 & 5 are attached on the amended replacement recommendation sheet.

MIDDLETON

M/155/18/PL

Replacement dwelling (resubmission following M/114/18/PL).

5 Central Drive  
Middleton-On-Sea

## RECOMMENDATION

AC - Approve Conditionally

- 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 dwg.no. PA-270-11 dated 14.12.2018  
Proposed Floor Plan dwg.no. PA-270-05 dated 14.12.2018  
Proposed Roof dwg.no. PA-270-06 dated 14.12.2018  
Proposed Section AA dwg.no. PA-270-08 dated 14.12.2018  
Proposed Drainage Layout dwg.no. PA-270-12 dated 14.12.2018  
Proposed Materials dwg.no. PA-270-25 Rev A dated 07.02.2019  
Proposed Elevations dwg.no. PA-270-07 Rev A dated 07.02.2019

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and DSP1 of the Arun Local Plan.

- 3 All windows on the east and west elevations of the building including the side panels of the rear balcony at first floor level shall at all times be glazed with obscured glass and fixed to be permanently non-opening below 1.7 metres in height.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy D DM1 of the Arun Local Plan.

- 4 All activity at the site is to be carried out in strict accordance with: - Arboricultural Impact Assessment and Method Statement (LLD1671-ARB-REP-001, Rev.01, 27th March 2019) with the exception of any reference to the Monterey cypress tree which has now been felled.

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 a PRE-COMMENCEMENT Site Meeting is to take place between the Arun DC Tree Officer and the Arboricultural Expert representing the site owners - at this meeting all protective fencing will be inspected along with ground protection measures - they will be assessed to verify that they are 'Fit for Purpose' as required under British Standard 5837:2012 and have been erected and positioned exactly as shown on the Tree Retention and Protection Plan (LLD1671-ARB-DWG-002, Rev.01, 26.03.19) with the exception of any reference to the Monterey cypress tree which has now been felled.

.A schedule of Site Monitoring/Supervision visits and Reporting Procedures prepared by an Arboricultural Expert will be required and their extent will be agreed on at the above site meeting to the satisfaction of the Arun DC Tree Officer.

Reasons: 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 policy ENV DM4 of the Arun Local Plan. The pre-commencement condition is required to ensure the protection of the neighbouring mature cedar tree on the adjoining site close to the boundary.

- 5 The planting of an ornamental tree and low level planting and construction of hard landscaping including the close boarded fence to the front of the property and the retention of the existing trees and hedging shall be carried out in accordance with the details shown on plan Proposed Block Plan dwg.no. PA-270-11 dated 14.12.2018. All tree and hedge planting in the approved details shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees, planting or hedging which within a period of 5 years from the completion of the 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.

- 6 No part of the development shall be first occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will achieve energy efficiency measures that reflect the current standards applicable at the time of submission and includes the use of renewable energy supply systems. The approved scheme shall thereafter be implemented prior to occupation of the residential unit and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.

Reason: To ensure that the development is energy efficient and in accordance with policy ECC SP2 of the Arun Local Plan.

- 7 **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.

- 8 **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 (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk). Please read our New Connections Services Charging Arrangements documents which is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.

Our initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer.

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers, it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water at the above address.

Due to surface water inundation issues in the Lidsey Catchment "The applicant is advised to adopt, where appropriate, the measures in the table "Practical measures to reduce the potential impacts of development".

Developer should look to protect the public sewerage system from inundation and infiltration, which contribute to flooding in unfavourable conditions.

## REPORT UPDATE

**Application no:** M/24/19/PL  
**Page no:** 116  
**Location:** 3 The Hard Elmer  
**Description:** Replacement residential dwelling. This application may affect a Public Right of Way.

### UPDATE DETAILS

Reason for Update/Changes:

1) WSCC have requested conditions be applied with respect to the provision of cycle parking prior to the occupation of development and a condition requiring provision of approved details has been added to the recommendation. The submitted revised site plan now includes the provision of a storage shed for cycles. Laying out of the car parking has not been requested by County Highways.

2) Conditions have also been applied ensuring the window on the side elevation at first floor level would be obscure glazed and non-opening below 1.7 metres in height and to prevent additional windows being added in the side elevations at first floor and above.

3) Additional plans have been submitted to clarify the colouration and weathering of the exterior wooden cladding, show its form better using a 3D visualisation and a strip elevation and photos to show the proposed building within the street scene. Condition 2 has been altered to include the revised and additional plans.

Note: The changes to conditions are attached on the amended replacement recommendation sheet.

Replacement residential dwelling. This application may affect a Public Right of Way. 3 The Hard Elmer

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## RECOMMENDATION

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### AC - Approve Conditionally

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- 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:  
Dwg.no. - PL002 Rev C - Proposed Elevations, Roof Plan & Sections dated 25.05.19.  
Dwg.no. - PL001 Rev B - Proposed Plans, & Site Plan dated 10.05.19.  
Construction and other details received in email from Michael Wood - 10 May 2019 11:44  
Proposed 3D Visuals - PL003 Rev A dated 28.05.2018  
Photographic Sheet & Proposed Street Scene - PL004 dated Jan 19.  
  
Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D SP1 of the Arun Local Plan.
- 3 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: In the interests of the amenity of nearby residents & occupiers of any nearby noise sensitive premises, the general amenities of the area and in the interests of highway safety in accordance with policies D DM1, QE SP1 and T SP1 of the Arun Local Plan and the National Planning Policy Framework. This is required to be a pre- commencement condition because it is necessary to have the site set-up agreed prior to access by construction traffic.
- 4 No part of the development shall be first occupied unless and until the applicant has submitted a scheme for approval by the Local Planning Authority to demonstrate that the development will achieve energy efficiency measures that reflect the current standards applicable at the time of submission and includes the use of renewable energy supply systems. The approved scheme shall thereafter be implemented prior to occupation of the residential unit and any approved renewable energy supply systems shall be permanently retained & maintained in good working order thereafter.  
  
Reason: To ensure that the development is energy efficient and in accordance with policy ECC SP2 of the Arun Local Plan.
- 5 External lighting in association with this development shall comply with Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light, Obtrusive Light Limitations for Exterior Lighting Installations for Zone E and to avoid unnecessary light overspill which may adversely affect biodiversity.  
  
Reason: To control the residential amenities of the local environment in accordance with Arun Local Plan policies QE SP1, QE DM2 and ENV DM5.



6 The development shall be carried out in accordance with the submitted flood risk assessment (February 2019, Sloane and Brown) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 2.85 m above Ordnance Datum (AOD).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with policy W DM2 of the Arun Local Plan.

7 No reduction in the height of the secondary flood bund shall be undertaken. The bund is referred to as the existing or retained bund and shall be retained at an AOD height of 3.24 metres in perpetuity as shown on the following approved plans:

Dwg.no. - PL002 Rev A - Proposed Elevations, Roof Plan & Sections dated 23.04.19

Dwg.no. - PL001 Rev A - Proposed Plans, & Site Plan dated 23.04.19

Reason: To reduce flood risk in accordance with policy W DM2 of the Arun Local Plan.

8 The window in the east side elevation of the dwelling shall at all times be glazed with obscured glass and fixed to be permanently non-opening below 1.7m internal floor level.

Reason: To protect the amenities and privacy of the adjoining property in accordance with policy DDM1 of the Arun Local Plan.

9 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 at first floor level in the east or west side elevations of the dwelling without the prior 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 D DM4 of the Arun Local Plan.

10 No part of the development shall be first occupied until the covered and secure cycle parking spaces indicated on the site plan hereby approved have been provided.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies highways in accordance with policy TDM1 of the Arun Local Plan.

11 **INFORMATIVE:** We strongly recommend the use of flood proofing and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage. To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the flood risk and coastal change pages of the planning practice guidance.

The following documents may also be useful:

Department for Communities and Local Government: Preparing for floods  
<http://www.planningportal.gov.uk/uploads/odpm/400000009282.pdf>

Department for Communities and Local Government: Improving the flood performance of new buildings:  
<http://www.communities.gov.uk/publications/planningandbuilding/improvingflood>

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.

The planning practice guidance to the National Planning Policy Framework states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue

implications of new development in making their decisions. As such, we recommend you consult with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with the guiding principles of the Planning Practice Guidance (PPG).

- 12 **INFORMATIVE:** The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.
- 13 **INFORMATIVE:** This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc ) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0845 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.
- 14 **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. 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.
- 15 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 (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk). Please read our New Connections Services Charging Arrangements documents which is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.

## REPORT UPDATE

**Application no:** R/34/19/PL  
**Page no:** 133  
**Location:** 4 Broadmark Parade Broadmark Lane Rustington  
**Description:** Change of use of currently vacant former A1 (Shops) ground floor premises to a mixed A3/A5 (Restaurants & Cafe & Hot Food Takeaway) use, incorporating the erection of a single storey rear extension, replacement shopfront & associated plant & extraction equipment

### UPDATE DETAILS

**Reason for Update/Changes:**

The condition relating to opening hours has been amended to specifically include delivery times and hours of operation.

**Note:** The changes to recommendation, conditions and/or reasons are attached on the amended replacement recommendation sheet.

Change of use of currently vacant former A1 (Shops) ground floor premises to a mixed A3/A5 (Restaurants & Cafe & Hot Food Takeaway) use, incorporating the erection of a single storey rear extension, replacement shopfront & associated plant & extraction equipment

4 Broadmark Parade  
Broadmark Lane  
Rustington

## RECOMMENDATION

AC - Approve Conditionally

- 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 Roof Plan dwg. no. 2940/PL125 Rev. B dated 09.05.19.  
Proposed External Elevations dwg.no.Rev. C 2940/PL211 dated 08.05.19.  
Proposed Ground Floor GA Plan dwg.no. 2940/PL100 Rev. A dated 20.12.2018.  
Proposed First Floor GA Plan dwg.no. 2940/PL101 Rev. A dated 06.02.19.  
General Arrangement of HVAC Installation Plan & Side Elevation dwg.no. 0000/M/101 Rev B dated 08/02/19.  
General Arrangement of HVAC Installations Sheet 2 of 2 - Elevations dwg.no. 0000/M/101 Rev B dated 08/02/19.  
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 The use hereby approved including deliveries, retail unit opening hours, machinery operations and ventilation associated with the use shall only be between the hours of 10.30am to 11pm Monday to Saturday and between 10.30am 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.
- 4 The extraction system shall be constructed and retained in perpetuity in accordance with the following document:  
The Mechanical Ventilation & Environmental Control Equipment - Planning Application Information dated 21-01-18 & email update of 09/05/2019 15:32.  
Reason: To protect the amenities of occupiers of adjoining properties in accordance with Arun Local Plan policies QE SP1, QE DM1 and QE DM3.
- 5 The use hereby permitted shall include the sound insulation scheme, recommended by Ned Johnson Acoustic Consultants' Acoustic Assessment (ref. 451819 Rev. A, dated February 2019), for protecting the upper floor residential unit from noise. The scheme shall achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB). Following implementation of the insulation scheme, a test shall be undertaken to demonstrate that the attenuation measures carried out has achieved the minimum airborne sound insulation criteria. The use of the development shall not commence until test results, demonstrating the minimum sound insulation criteria has been achieved, has been submitted to and approved by the local planning authority.  
Reason: In the interests of the amenity of nearby residents & occupiers of any nearby noise sensitive

premises, the general amenities of the area and in the interests of highway safety in accordance with policies D DM1 and QE SP1 of the Arun Local Plan and the National Planning Policy Framework.

- 6 The development shall proceed in accordance with the details contained within the Delivery and Service Plan dated December 2018.

Reason: To protect the amenities of occupiers of adjoining properties and provide adequate servicing and delivery to the premises in accordance with Arun Local Plan policies QE SP1, QE DM1, QE DM3 and T SP1.

- 7 **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. 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.

- 8 **INFORMATIVE:** The premises will require Registration under the Food Safety Act 1990 and will need to comply with the standards contained in the relevant Food Hygiene Regulations prior to becoming operational. The applicant is advised to contact The Food Safety Team at Environmental Health on Tel 01903 737755 or via E-Mail at [Food.Safety@arun.gov.uk](mailto:Food.Safety@arun.gov.uk).

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