ADUR DISTRICT COUNCIL

Mr Ross Brereton
Carter Jonas
One Chapel Place
London
W1G 0BG

PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (ENGLAND) ORDER 2015

APPLICATION NUMBER: AWDM/0863/20

Details of Development
APPLICATION FOR VARIATION OF CONDITION 5 OF PREVIOUSLY APPROVED AWDM/0565/20 TO ALLOW AMENDED OPERATING HOURS OF 7AM -6PM MONDAY TO FRIDAYS INCLUSIVE, 8AM-1PM ON SATURDAYS AND NO WORKING ON SUNDAYS OR PUBLIC HOLIDAYS (PLUS ACCESS DURING OUT OF HOURS GAS EMERGENCIES)

Location of Development
106 - 112 BRIGHTON ROAD SHOREHAM-BY-SEA WEST SUSSEX BN43 6RH

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they PERMIT the above development, in accordance with the application and relevant correspondence registered on 9th June 2020.

This is for reasons stated on the schedule overleaf and subject to compliance with the conditions specified thereon.

G Peck

Gary Peck
Planning Services Manager
06/08/2020

Adur District Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Email: planning@adur-worthing.gov.uk
Web: www.adur-worthing.gov.uk

SCHEDULE

Conditions

01. The development hereby permitted shall be carried out in accordance with the following approved plans unless specified otherwise in a subsequent condition imposed on this decision notice:-

Reference/Drawing Number	Version	Date Rec
PROPOSED SITE PLAN	8191138-5010 PA2	16.07.2020
PLANNING STAEMENT COVER LETTER	J0015682	09.06.2020
TRANSPORT STATEMENT	BS8191138/VT/DW/018	09.06.2020
NOISE SURVEY & REPORT	27767/NIA1-Rev1	09.06.2020
SITE LOCATION PLAN	8191138-5000 Rev PA1	09.06.2020

Reason: *For the avoidance of doubt and in the interests of proper planning.*

02. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), the premises shall be used only for purposes within Use Class B8, with ancillary B1 use, as defined in the Town and Country Planning (Use Classes) Order 1987 or in any equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification.

Reason: *In the interest of amenity having regard to policy 25 of the Adur Local Plan.*

03. No raw materials, finished or unfinished products or parts, crates, packing materials, nor any other items shall be stacked, stored or displayed on the site except within the building or within enclosed storage areas approved in writing by the Local Planning Authority.

Reason: *In the interests of amenity and highway safety having regard to policy 15 of the Adur Local Plan.*

04. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that Order with or without modification), the building shall not be further extended or altered by means of any development, including an increase in the extent of the mezzanine floor, as set out within Class H of Part 7 of the Schedule to that Order.

Reason: *In the interests of amenity and the environment having regard to the nature of the site and policy 15 of the Adur Local Plan.*

/Contd …

05. No working, trade or business whatsoever (including loading/unloading of vehicles and operation of plant and machinery) shall take place on the premises except during out of hours gas emergencies and between the hours of:-

7.00 am and 6.00 pm on Mondays to Fridays inclusive
8.00 am and 1.00 pm on Saturdays

nor at any time on Sundays or Public Holidays.

Reason: *In the interests of amenity having regard to policies 15 and 34 of the Adur Local Plan.*

06. The building subject of the application shall not be subdivided or occupied by more than one business concern without the prior approval in writing of the Local Planning Authority.

Reason: *To prevent intensification of the use of the site in the interests of amenity and highway safety having regard to policies 15 and 28 of the Adur Local Plan.*

Informatives / Notes to Applicant

01. 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.

Ref: AWDM/0863/20

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YOUR ATTENTION IS DIRECTED TO THE FOLLOWING NOTES FROM THE ABOVE ORDER. THEY ARE FOR INFORMATION ONLY AND DO NOT PRETEND TO SET OUT THE WHOLE OF THE LAW ON THE SUBJECT. IT WOULD BE WELL FOR YOU TO CONSULT YOUR SOLICITOR IF YOU ARE IN ANY DOUBT

Appeals to the Secretary of State

1. 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.

2. If the decision relates to a householder application or minor commercial application, and you want to appeal, then you must do so within 12 weeks of the date of this notice. If the decision relates to express consent for the display of an advertisement, then you must do so within 8 weeks of the date of this notice. If the decision relates to a non-householder application, an appeal must be lodged within 6 months of the date of the decision notice. Appeals must be made 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 https://acp.planninginspectorate.gov.uk.

3. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

4. The Secretary of State need not consider an appeal if it seems to him 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.

5. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

6. If either the local planning authority or the Secretary of State refuses 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 District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Planning Act 1990.

7. Where this notice conveys approval or permission, conditional or unconditional, please note that the decision given does not purport to convey any consent or approval which may be required under the Building Act and Building Regulations, or any other legislation.

Reduced time for making a planning appeal where enforcement action is being taken

Where an enforcement notice has been served on the same, or substantially the same, development as in the householder application within 2 years of the date the application was made, the period for receiving an appeal is within 28 days of the date on the decision notice or of the date by which the LPA should have decided the application. Where an enforcement notice was served after the decision notice was issued or after the end of the period the LPA had to determine the application, the period for receiving an appeal is within 28 days of the date the enforcement notice was served (unless this extends the normal 12 weeks deadline).