ADUR DISTRICT COUNCIL

Mr Mark Wellbelove
Wates Residential
Wates House
Station Approach
Leatherhead
KT22 7SW

PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990 (as amended) Section 74B

APPLICATION NUMBER: AWDM/1721/20

Details of Development
APPLICATION TO VARY HOURS OF WORK APPROVED UNDER CONDITION 33 OF PLANNING PERMISSION REFERENCE AWDM/1497/17 (UNDER SECTION 74B OF THE TOWN AND COUNTRY PLANNING ACT 1990) UP UNTIL 28 FEBRUARY 2021 TO ALLOW CONSTRUCTION WORK TO BE UNDERTAKEN BETWEEN THE HOURS OF 08:00HRS AND 19:00 HRS MONDAY TO FRIDAY, AND 09.00 HOURS TO 18.00 HOURS ON SATURDAY. THERE WILL BE NO WORKS ON SUNDAYS OR BANK HOLIDAYS.

Location of Development
FREE WHARF BRIGHTON ROAD SHOREHAM-BY-SEA WEST SUSSEX

I refer to your request dated 19th October 2020 to modify the permitted hours of construction as described above.

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they APPROVE the above application to modify the permitted hours of construction working hours in accordance with the application and the particulars you submitted.

This decision is based on the following submitted plans/documents for avoidance of doubt.

GPeck

Gary Peck
Planning Services Manager
02/11/2020

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

Ref: AWDM/1721/20

SCHEDULE

Conditions

01. The application has been assessed and recommendation is made on the basis of the following plans and documents submitted.

Reference/Drawing Number	Version	Date Rec
Mitigation Plan		30.10.2020

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

02. Up until 28 February 2021, all demolition and construction works shall not take place outside the hours of 08.00 to 19.00 Mondays to Fridays and 09.00 to 18.00 hours on Saturdays. There shall be no construction works undertaken on Sundays or Bank Holidays. All works shall be carried out in accordance with the mitigation plan received by the Local Planning Authority on 30 October 2020.

After the 28 February 2021, all demolition and construction works shall not take place outside the hours of 08.00 to 18.00 Mondays to Fridays and 09.00 to 14.30 hours on Saturdays. There shall be no construction works undertaken on Sundays or Bank Holidays.

Reason: *Having regard to the temporary nature of the extended hours of construction permitted and to safeguard the residential amenity of the area in accordance with the provisions of Policies 15 and 34 of the Adur Local Plan (2017), guidance contained with 'Modification of Planning Conditions Relating to Construction Working Hours' (HCLG July 2020), Ministerial Written Statement on Extending Construction Site Working Hours (13 May 2020) and The National Planning Policy Framework (2019) with associated practise guidance.*

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.

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TOWN AND COUNTRY PLANNING ACT 1990 (as amended) Section 74B

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(1)(ab) of the Town and Country Planning Act 1990.

2. If the decision relates to a householder application or a 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 a non-householder application, an appeal must be lodged within 6 months of the date of the decision notice. Appeals can be made online at: https://www.gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

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).