ADUR DISTRICT COUNCIL

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PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0321/23

Details of Development
CONSTRUCTION OF A NEW ROCK REVETMENT ALONG THE EXISTING DEFENCE ALONG THE CENTRAL SHOREHAM FRONTAGE FACING BASIN ROAD SOUTH. THE PROPOSED ALIGNMENT FOLLOWS THE SEAWARD PERIMETER OF THE EXISTING BEACH CREST. CONSTRUCTION OF A NEW FOOTPATH ALONG WITH A NEW BEACH ACCESS RAMP AND STEPS.

Location of Development
LAND SOUTH OF LORRY PARK AND ADJOINING EDGE OF BEACH BASIN ROAD SOUTH SOUTHWICK WEST SUSSEX

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 2nd March 2023.

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
15/06/2023

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
PLANNING, DESIGN & ACCESS STATEMENT	RP-EN-0001-S2-P02	30.05.2023
BIODIVERSITY NET GAIN JUSTIFICATION REPORT	PR-EN-0008-S2-P02	30.05.2023
BNG METRIC AREA 2 SHEET	CA-EN-0002-S2-P02	30.05.2023
BNG METRIC SITE WIDE SHEET	CA-EN-0001-S2-P02	30.05.2023
ECOLOGICAL IMPACT ASSESSMENT May 2023	RP-EN-0002-S2-P02	30.05.2023
ECOLOGICAL DESIGN STRATEGY May 2023	RP-EN-0009-S2-P02	30.05.2023
FLOOD RISK ASSESSMENT February 2023 v3	RP-EN-001-S2-P01	02.03.2023
OUTLINE CEMP February 2023 v1	RP-EN-0010-S2-P01	02.03.2023
PHOTOMONTAGE AREA 2 (EAST) (Shts 1&2)	DR-EN-0001-S3-P01	02.03.2023
PHOTOMONTAGE AREA 2 (WEST) (Shts 1&2)	DR-EN-0002-S3-P01	02.03.2023
GENERAL ARRANGEMENT (3of3)	00-02-DR-C-2003 P01	02.03.2023
SITE ACCESS & CONSTRAINT PLAN	00-02-DR-C-1001 P01	02.03.2023
GENERAL ARRANGEMENT (1of3)	00-02-DR-C-2001-S0-P01	02.03.2023
GENERAL ARRANGEMENT (2of3)	00-02-DR-C-2002-S0-P01	02.03.2023
TYPICAL SECTIONS (1of2)	00-02-DR-C-3001-S0-P01	02.03.2023
TYPICAL SECTIONS (2of2)	00-02-DR-C-3002-S0-P01	02.03.2023
LANDSCAPE & VISUAL APPRAISAL February 2023 PARTS 1-6	00-00-RP-EN-0003-S2-P01	02.03.2023

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

02. 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.*

03. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. 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:

- 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;
- the storage of plant and materials used in construction of the development;
- the erection and maintenance of security hoarding;
- 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 public engagement both prior to and during construction works.

Reason: *In the interests of highway safety and the amenities of the area having regard to policies 15, 28 and 34 of the Adur Local Plan.*

04. The development shall be carried out in full accordance with the submitted Outline Construction Environment Management Plan (CEMP), dated 15 February 2023, and the biodiversity enhancement works as set out in the Compensatory habitat creation and Biodiversity Net Gain proposals (as specified in the submitted 'Biodiversity Net Gain Justification Report' (dated 14 February 2023 and updated 25 May 2023), 'Ecological Impact Assessment (EcIA)' (dated May 2023) and 'Ecological Design Strategy' (dated May 2023)) shall be carried out and completed as part of the overall flood defence works hereby permitted.

Reason: *To minimise the environmental impacts of the development and to enhance biodiversity having regard to the National Planning Policy Framework and having regard to policy 31 of the Adur Local Plan.*

05. Construction of the new footpath, access steps and ramp to the beach shall not take place until final details of their design and location have been submitted to and approved in writing by the Local Planning Authority. The footpath and access enhancement works shall thereafter be carried out in accordance with the approved details as part of the overall flood defence works.

Reason: *To improve accessibility and public amenity 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 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.

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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://www.gov.uk/appeal-planning-decision.

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 in relation to the same, or substantially the same, development as in the planning application no earlier than 2 years before the date the application was made, the period for receiving a planning appeal is within 28 days of the date on the planning application decision notice or of the date by which the LPA should have decided the application.

However, the LPA may formally decline to determine a retrospective planning application for permission for any development contained within a pre-existing enforcement notice served on or after 6 April 2012, where that notice was issued before the application was received by the LPA (see above). There is no right to make a planning appeal in such circumstances.

Where an enforcement notice was served in relation to the same, or substantially the same, development after the decision notice on the application was issued or after the end of the period the LPA had to determine the application, the period for receiving a planning appeal is within 28 days of the date the enforcement notice was served (unless this would extend the period beyond the normal 12 weeks or 6 months deadline).