ADUR DISTRICT COUNCIL

Mr Sam Sykes
ECE Planning Limited
Brooklyn Chambers
11 Goring Road
Worthing
BN12 4AP

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1000/21

Details of Development
PROPOSED 11NO. COMMERCIAL UNITS (USE CLASS E AND B8) IN A SINGLE TWO-STOREY BUILDING WITH EXTERNAL STAIRWELLS AND INFILLING OF PART OF THE CANAL TO PROVIDE VEHICLE ACCESS AND TURNING, WITH ASSOCIATED CYCLE STORAGE AND LANDSCAPING.

Location of Development
NAUTICAL TRAINING CORPS RIVERSIDE 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 27th May 2021.

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
26/08/2021

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
VIABILITY LETTER		27.05.2021
ECOLOGICAL IMPACT ASSESSMENT	LLD2285 June 2021	30.06.2021
DESIGN & ACCESS STATEMENT		27.05.2021
PLANNING & HERITAGE STATEMENT		27.05.2021
SUSTAINABILITY STATEMENT		27.05.2021
FLOOR RISK ASSESSMENT & DRAINAGE STRATEGY		27.05.2021
TRANSPORT STATEMENT		27.05.2021
ACOUSTIC ASSESSMENT		27.05.2021
PHASE 1 GEO-TECH & GEO-ENV REPORT	LS5540	27.05.2021
LOCATION PLAN	PL-LOC Rev P2	27.05.2021
Existing Site Plan - Site Elevations	PL02 Rev P2	27.05.2021
Existing Floor Plan - Elevations - Sections	PL02 Rev P2	27.05.2021
Proposed Block Plan	PL10 Rev P2	27.05.2021
Proposed Site Plan- Roof Plan	PL11 Rev P2	27.05.2021
Proposed Ground Floor Plan	PL12 Rev P2	27.05.2021
Proposed 1st Floor Plan	PL13 Rev P2	27.05.2021
Proposed South - West Elevations	PL20 Rev P2	27.05.2021
Proposed North - East Elevations	PL21 Rev P2	27.05.2021
Proposed Refuse- Recycle Store	PL22 Rev P2	27.05.2021
Proposed Site Section	PL25 Rev P2	27.05.2021
Proposed Site Elevations,South-North	PL30 Rev P2	27.05.2021

Reference/Drawing Number	Version	Date Rec
Proposed view from the south	PL31 Rev P2	27.05.2021

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 of site operatives and visitors;
- loading and unloading of plant, materials and waste;
- storage of plant and materials used in constructing 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);
- measures to control the emission of dust and dirt during construction;
- a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- details of public engagement both prior to and during construction works.

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

04. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:-

Monday - Friday 08:00 - 18:00 Hours
Saturday 09:00 - 13:00 Hours
Sundays and Bank Holidays no work permitted

Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

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

05. 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.

Reason: *To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.*

06. The developer must agree with Southern Water, prior to commencement of the development, the measures to be taken to protect the public foul sewer and water distribution main which is within or close to the site.

Reason: *To protect water and drainage infrastructure having regard to policies 35 and 36 of the Adur Local Plan.*

07. Development shall not commence, other than works of site survey and investigation, until full details of the proposed foul and surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority, in consultation with Southern Water. The surface water drainage scheme design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels will be required to support the design of any below ground drainage unless otherwise agreed in writing with the Local Planning Authority. The 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 adequate drainage and to comply with the National Planning Policy Framework and policy 36 of the Adur Local Plan.*

08. Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: *To ensure adequate drainage and to comply with the National Planning Policy Framework and policy 36 of the Adur Local Plan.*

09. The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref 92570 Revision 2) and the following mitigation measures it details:

Finished floor levels shall be set no lower than 5.2 metres 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 having regard to the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change and policy 36 of the Adur Local Plan.*

10. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified all previous uses;
   potential contaminants associated with those uses;
   a conceptual model of the site indicating sources, pathways and receptors; and
   potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved

Reason: *To prevent pollution of groundwater and in the interests of environmental protection and public health and safety, in compliance with the National Planning Policy Framework and policies 34 and 35 of the Adur Local Plan.*

11. Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

    Reason: *To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete having regard to policies 34 and 35 of the Adur Local Plan.*

12. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority.

    The remediation strategy shall be implemented as approved.

    Reason: *To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site having regard to policies 34 and 35 of the Adur Local Plan.*

13. No development above slab level shall commence until a scheme for attenuating all external fixed plant has been submitted to and approved by the local planning authority. The scheme shall have regard to the principles of BS 4142:2014+A1:2019 and ensure the cumulative rating at the nearest noise sensitive property does not exceed the background noise level specified in Section 4 of the Acoustic Associates Noise Assessment (Date: 13/05/2021 Project: J3131 Issue 1) to ensure there is no detrimental impact to the nearest residential dwellings. A test to demonstrate compliance with the scheme shall be undertaken within one month of the scheme being implemented. All plant shall be maintained in accordance with manufacturers' guidance and any future plant shall also meet the specified levels within the approved scheme.

    Reason: *In the interests of residential amenity and to comply with policies 15 and 34 of the Adur Local Plan.*

14. Piling and using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

    Reason: *To avoid risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways having regard to policy 35 of the Adur Local Plan.*

15. No development above slab level shall take place until full details of all hard and soft landscaping works, and the proposed times of planting have been approved in writing by the Local Planning Authority and all soft landscape works shall be carried out in accordance with those details and at those times. Any plants which within a period of five years from the time of planting 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. Landscaping details shall also include details of the proposed green roof and a plan for its future maintenance.

    Reason: *In the interests of visual amenity and the environment and to comply with policies 15 and 30 of the Adur Local Plan.*

16. The building hereby permitted shall not be occupied until space has been laid out within the site in accordance with the details shown on the approved plan for the turning of vehicles/deliveries and such space shall not thereafter be used other than as a turning/delivery area.

    Reason: *In the interest of highway safety and amenity having regard to policies 15 and 28 of the Adur Local Plan.*

17. Notwithstanding the details shown in the application, no development above slab level shall be carried out unless and until a schedule and samples of external materials and finishes to be used for the proposed building has been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved schedule.

    Reason: *In the interests of visual amenity and to comply with policy 15 of the Adur Local Plan.*

18. The building shall not be occupied until the associated facilities for storing refuse and waste, including for waste that can be recycled, have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

    Reason: *In the interests of amenity and to comply with the West Sussex Waste Local Plan.*

19. 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 buildings 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 policies 15 and 28 of the Adur Local Plan.*

20. No external working shall take place anywhere on the site and all working shall be confined to within the buildings.

    Reason: *In the interests of amenity and to comply with policies 15 and 28 of the Adur Local Plan.*

21. No external lighting or floodlighting shall be installed except in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

22. No roof plant or other externally-sited plant or machinery (including air conditioning/handling equipment) other than hereby approved shall be installed unless as agreed in writing with the local planning authority.

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

23. No working, trade or business whatsoever shall take place on the premises except between the hours of:-

07.00 and 21.00 on any day with no arrival, reception or despatch of deliveries other than between the hours of 07.00 and 20.00 Monday to Saturday and 09.00 to 18.00 on Sundays.

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

24. 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 Classes E(g) and B8 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 and to ensure the buildings are protected for business use having regard to policy 25 of Adur District Local Plan.*

25. 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), no units shall be merged to create a new unit larger than the largest current unit, being 9mx6m.

Reason: *To prevent larger units from being formed which could result in larger vehicles to the detriment of the amenities of the locality having regard to policies 28 and 34 of the Adur Local Plan.*

26. No development above slab level shall commence until a Sustainability Strategy, demonstrating a commitment to maximising the efficiency of the use of energy, water and materials within the development, has been submitted to and approved in writing by the LPA. The development shall be constructed in accordance with the approved Strategy.

Reason: *To ensure that the development is sustainable and makes efficient use of energy, water and materials having regard to the National Planning Policy Framework' and policies 1, 15, 18, 20, 31 of the Adur Local Plan.*

27. Notwithstanding the details shown on the approved plans, prior to the commencement of development, details of the floor level of the proposed building and any alterations to the ground levels of the site shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in strict accordance with such details as approved.

Reason: *In the interests of amenity and the environment having regard to policy 15 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.

02. The importation of materials for the infilling of the canal associated with this development will require an Environmental Permit under the Environmental Permitting (England & Wales) Regulations 2016, from the Environment Agency, unless an exemption applies. Please note that the need for an environmental permit is separate to the need for planning permission. The granting of planning permission does not necessarily lead to the granting of a permit.

The Applicant is advised to contact the Environment Agency National Customer Contact Centre on 03708 506 506 (Monday to Friday 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk for further advice and to discuss the issues likely to be raised.

Additional 'Environmental Permitting Guidance' can be found at:
https://www.gov.uk/environmental-permit-check-if-you-need-one.

03. For any activities (including construction, dredging and removals) below the mean high water springs mark, a marine licence may be required from the Marine Management Organisation (MMO).

Please note that the requirement for a marine licence is separate from planning permission. You are advised to contact the MMO at the earliest opportunity to discuss making an application on 0191 376 2791 (9am to 4.30pm Monday to Thursday, 9am to 4pm on Friday).
Further details can also be found on the MMO website:
https://www.gov.uk/government/organisations/marine-management-organisation/services-information.

04. If discharge to tidal body is proposed it must be demonstrated that there is adequate storage within site when tidal locking occurs. Design must have provision to ensure that there is capacity in the system to contain the 1 in 100 year event plus 20% on stored volumes, as an allowance for climate change. Any SuDS or soakaway design must include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with the Council's Engineers. Further detail regarding our requirements are available on the following webpage:
https://www.adurworthing.gov.uk/planning/applications/submit-fees-forms.
A surface water drainage checklist is available on this webpage. This clearly sets out our requirements for avoiding pre-commencement conditions, or to discharge conditions.

Ref: AWDM/1000/21

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

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 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.

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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).