ADUR DISTRICT COUNCIL

Mr Sam Sykes
ECE Planning Limited
64-68 Brighton Road
Worthing
BN112EN
United Kingdom

PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015
TOWN AND COUNTRY PLANNING GENERAL REGULATIONS, 1992

APPLICATION NUMBER: AWDM/0407/24

Phased development for the demolition of existing building and erection of new pavilion building (with cafe, toilets and sports changing facilities), associated pedestrian paths and landscaped areas.

Land South Of Buckingham Park Including South Pavilion And Cafe And Public Conveniences Upper Shoreham Road Shoreham-by-sea

In pursuance of their powers under the above-mentioned Act, Order and the Regulations for the reason stated hereunder the Council hereby notify you that they PERMIT under Regulation 3 of the Town and Country Planning General Regulations, 1992, the above development, in accordance with the application and relevant correspondence registered on 27th March 2024.

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

GPeck

Gary Peck
Planning Services Manager
16/08/2024

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	PL-04 P2	17.06.2024
PROPOSED GROUND FLOOR PLAN & ROOF PLAN	PL-05 P3	17.06.2024
PROPOSED GF PLAN & ROOF PLAN - CAFE ONLY	PL-06 P3	17.06.2024
GA ELEVATIONS - PROPOSED CAFE & CLUBHOUSE	PL-07 P2	17.06.2024
GA ELEVATIONS - PROPOSED CAFE ONLY	PL-08 P2	17.06.2024
PROPOSED ILLUSTRATIVE 3D VIEWS	PL-09 P2	17.06.2024
INDICATIVE LANDSCAPE PLAN	PL-10 P3	17.06.2024
AIA, METHOD STATEMENT & TREE PROTECTION PLAN	PJC/5487/24-01	27.03.2024
DESIGN & ACCESS STATEMENT	7078 P1	27.03.2024
SUSTAINABILITY STATEMENT	X239 VERSION 02	27.03.2024
PRELIMINARY ECOLOGICAL APPRAISAL March 2024	5614E/24/02	27.03.2024
SITE LOCATION PLAN	PL-01 P1	27.03.2024
EXISTING SITE PLAN	PL-02 P2	27.03.2024
EXISTING ELEVATIONS	PL-03 P2	27.03.2024
DRAINAGE STRATEGY	Rev 1	09.04.2024

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. The building hereby permitted shall not be occupied until provision for storage of cycles has been made in accordance with the approved plans.

Reason: *To encourage sustainable travel having regard to policy 28 of the Adur Local Plan.*

04. 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. The development shall be carried out in accordance with the approved Management Plan and shall be adhered to throughout the construction period. The Plan shall provide for:-

(i) the parking of vehicles of site operatives and visitors;
(ii) loading and unloading of plant and materials;
(iii) storage of plant and materials used in constructing the development;
(iv) the erection and maintenance of security hoarding;
(v) wheel-washing facilities;
(vi) measures to control the emission of dust and dirt during construction;
(vii) a commitment to no burning on site;
(viii) a commitment to following BS5228:Code of Practice for noise and vibration control on construction and open sites;
(ix) details of public and neighbour engagement both prior and during construction works; and
(x) a scheme for recycling/disposing of waste resulting from demolition and construction works.

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

05. 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 to 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: *To safeguard the residential amenity of the area having regard to policies 15 and 34 of the Adur Local Plan.*

06. The existing trees/bushes/hedges shown on the approved plan as being retained shall be protected for the duration of construction works in accordance with the recommendations of the ARBORICULTURAL IMPACT ASSESSMENT, METHOD STATEMENT AND TREE PROTECTION PLAN before the development commences and shall not be damaged, destroyed, uprooted, felled, lopped or topped. Any trees/bushes/hedges or parts thereof which are shown on the approved plan as being retained which are removed without consent or die or are severely damaged or become seriously diseased during that period shall be

replaced in the following planting season with trees/bushes/hedges of such size and species as may be agreed with the Local Planning Authority.

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

07. No works or development 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.

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

08. Construction shall not begin until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must prioritise the use of source control Sustainable Drainage Systems (SuDS) in consideration of the Non-Statutory Technical Standards for SuDS and demonstrate no increase in flood risk as a result of the Proposed Development with sufficient supporting evidence provided to support its viability including supporting calculations for the 100% AEP (1 in 1 year), 3.33% AEP (1 in 30 year), 3.33% AEP (1 in 30 year) plus climate change, the 1% AEP (1 in 100 year) and the 1% AEP (1 in 100) plus climate change critical storms. Groundwater monitoring and infiltration testing, to BRE DG365, or similar approved, will be required to support the design of any infiltration drainage. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed

Reason: *To ensure the flood risk is adequately addressed and not increased in accordance with policy 36 of the Adur Local Plan and the NPPF.*

09. The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

I. a timetable for its implementation.
II. details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.
III. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable

drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.

Reason: *To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed and not increased in accordance policy 36 of the Adur Local Plan and the NPPF.*

10. Construction of the development shall not commence until details of the proposed means of foul sewerage disposal have been submitted to, and approved in writing by the Local Planning Authority in consultation with Southern Water.

Reason: *To prevent pollution of the water environment by ensuring the necessary infrastructure is in place, in compliance with policies 29 and 35 of the Adur Local Plan.*

11. The building shall only be open to the public between the hours of 7am and 10pm on any day.

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

12. No development above slab level shall commence until details of sustainability and energy efficiency measures have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details.

Reason: *In the interests of achieving energy efficient and sustainable development having regard to policies 18 and 19 of the Adur Local Plan and the provisions of the NPPF.*

13. The building shall not be brought into use until biodiversity enhancement measures 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 enhancing biodiversity having regard to policy 31 of the Adur Local Plan and the provisions of the NPPF.*

14. The premises shall be used as a sports clubhouse and community facility (within Use Class F2b) and as a café (within Use Class E) and for no other purpose, including any other purpose in Class F2 and Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision 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 policies 15 and 34 of the Adur Local Plan.*

15. No moveable seating related to the proposed development is to be placed north of the approved hardstanding areas.

    Reason: *To protect users of the development from the risk of ball strike that might also undermine the use of the playing pitch, having regard to policies 15, 32 and 33 of the Adur Local Plan.*

16. Throughout the course of the development hereby permitted suitable alternative changing accommodation shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

    Reason: *To protect against the loss or unavailability of sport facilities during the construction of the development having regard to policies 15, 32 and 33 of the Adur Local Plan.*

17. A wheelchair accessible WC shall be provided and made available to the public for the same opening hours as the other public toilet facilities at the building.

    Reason: *To ensure accessible toilet provision having regard to policy 15 of the Adur Local Plan.*

Ref: - AWDM/0407/24

TOWN AND COUNTRY PLANNING ACT 1990

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.

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).