Adur District Council

Development Management

Mr Peter King
Ouse and Adur Rivers Trust
24 North Street
Storrington
Pulborough
West Sussex
RH20 4NZ

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1375/17

Details of Development
RESTORATION OF UPPER SECTION OF THE BROADWATER BROOK TRIBUTARY OF THE TEVILLE STREAM INVOLVING THE EXCAVATION OF A NEW CHANNEL, CONSTRUCTION OF THREE SILT TRAPS, PART INFILL OF EXISTING CHANNEL AND RESTORATION OF SURROUNDING LAND.

Location of Development
LAND SOUTH OF LOOSE LANE SOMPTING 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 6th September 2017.

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
17/10/2017

Adur District Council
Adur District Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Fax: 01903 221072 Minicom: 01903 204500
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Ref: AWDM/1375/17

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
CROSS SECTIONS X 2 SHEETS	Sections A, C and B	06.09.2017
CROSS SECTION	Silt Trap	06.09.2017
EARTH BUND	Cross and Long Section	06.09.2017
ENVIRONMENTAL STATEMENT & ECOLOGICAL ASSESSMENT	Version 2.1	06.09.2017
ECOLOGICAL SURVEYS	X 7	06.09.2017
LAND CONTAMINATION ASSESSMENT	B1629800 Rev 2	06.09.2017
ARCHAEOLOGY EVALUATION WSI	July 2017	06.09.2017
PLANNING SUPPORT STATEMENT		21.09.2017
SITE COMPOUND		21.09.2017
LOCATION PLAN	Adur Site Boundary	06.09.2017
SITE LAYOUT	Teville Stream Master Plan	06.09.2017

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. 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: *In order to ensure that the development 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 the relevant policies of the National Planning Policy Framework.*

04. The development hereby permitted shall not be commenced until such time as a scheme to:-

1. dispose of surface water and;

2. provide pollution prevention mitigation measures to improve water quality

has been submitted to, and approved in writing by, the Local Planning Authority. It is recommended that a Water Quality Strategy is developed that includes different pollution prevention measures (Treatment Train) and that they are incorporated in to the scheme. The scheme shall be implemented as approved.

Reason: *Although the scheme is designed to create a new surface water course, receiving water from other drainage sources such as roads may be contaminated. Appropriate pollution prevention measures must be incorporated in to the scheme so that water quality improvements can be made, having regard to policy 36 of the Submission Adur Local Plan.*

05. A programme of archaeological mitigation work will be carried out on the site in accordance with the submitted Written Scheme of Investigation for Archaeological Evaluation. The programme of archaeological work will involve:-

(a) On-site archaeological investigation prior to the commencement of construction works;
(b) Additional on-site archaeological mitigation during construction works arising from (a) where considered appropriate by the Local Planning Authority;
(c) Off-site analysis reporting publishing and archiving of the findings of (a) and (b).

Reason: *To enable mitigation of the impact of development upon heritage assets of archaeological interest having regard to National Planning Policy Framework, Paragraph 141; Adur District Local Plan 1996, Saved Policy AB1 (Archaeology); Submission Adur Local Plan 2016, Policies 16 & 17 (Historic Environment).*

06. The temporary access road and any other temporary constructions required during the works to implement the development hereby permitted shall be permanently removed on completion of the development and the land restored to its former condition, or to a condition to be agreed in writing by the Local Planning Authority.

Reason: *In the interests of the visual amenity of the area having regard to saved policy AC1 of the Adur District Local Plan and policy 13 of the Submission Adur Local Plan.*

/Contd …..

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. Environmental Permit for Flood Risk Activity
The works may require an Environmental Permit for Flood Risk Activity (FRAP) from the Environment Agency for any permanent or temporary works in, under, over or within 8m of the Teville Stream.
For further information please visit: https://www.gov.uk/guidance/flood-risk-activities-environmental-permits.

03. Waste on site
All excavated materials should be placed outside the flood plain subject to any waste licence requirement.

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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 you want to appeal, then you must do so within six months, 12 weeks for a minor commercial (shop front) of the date of this notice. Appeals must be made using a form which you can get from the Secretary of State online at https://acp.planninginspectorate.gov.uk or at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (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.

7. 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.

8. Further correspondence about this application should quote the reference number at the top right hand corner of the form.

9. 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).