Adur District Council

Development Management

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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/0759/16

Details of Development
FORMATION OF A LANDSCAPED BUND (NORTH OF TRAINING GROUND) AND PROVISION OF AN ACCESS (FOR MAINTENANCE VEHICLES ONLY) TO THE GROUND MAINTENANCE BUILDING AND COMMUNITY PITCH FROM MASH BARN LANE (WITH ACCESS FOR CONSTRUCTION TRAFFIC TO BE FROM A27)

Location of Development
LAND NORTH AND EAST OF BRIGHTON AND HOVE ALBION TRAINING GROUND MASH BARN LANE LANCING 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 23rd May 2016.

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
28/07/2016

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
VISION BUND PLANTING PLAN	HED-1172-100-001 Rev P2	30.06.2016
COVERING LETTER	Dated 13th May 2016	23.05.2016
FLOOD RISK ASSESSMENT	May 2016	23.05.2016
CONSTRUCTION/WASTE MGMT PLAN	May 2016	23.05.2016
ECOLOGICAL ASSESSMENT REPORT	May 2016	23.05.2016
SITE ASSESSMENT	Revision 02	23.05.2016
DESIGN AND ACCESS STATEMENT		23.05.2016
SITE LOCATION PLAN	Drg No 1	23.05.2016
EARTH REMOVAL FOR VISION BUND	Drg No 110 Rev A	23.05.2016
VISION BUND N OF TRAINING GROUND	Drg No 109 Rev C	22.07.2016

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 commence within the site until:

a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and

b) The approved programme of archaeological work has been carried out in accordance with the approved details.

Reason: *To enable the recording of any matters of archaeological interest.*

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04. The mitigation and enhancement measures as set out in section 5 of the Ecological Assessment Report dated May 2016 shall be fully implemented in accordance with the timescale set out within the same Report.

Reason: *To safeguard protected species and to enhance biodiversity.*

05. Access for construction vehicles associated with the development hereby approved shall be from the A27 only and such access shall cease to be used to access the site once the development hereby approved has been completed. There shall be no access to the site via the gap in the central reservation of the A27.

Reason: *To ensure that the A27 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.*

06. Works to implement the development hereby permitted shall only take place between the hours of 8am and 6pm Monday-Friday and 8.30am and 1pm on Saturdays. There shall be no working on Sundays or Public Holidays.

Reason: *To protect the residential amenities of neighbouring occupiers having regard to saved policy AG1 of the Adur District Local Plan.*

07. The bund hereby approved shall be landscaped in accordance with the approved details. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development 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 saved policies AB25-27 of the Adur District Local Plan.*

08. No works shall commence on site until a Construction Management Plan, to include details of numbers and routeing of construction vehicles, has been submitted to and approved in writing by the local planning authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport). The Construction Management Plan shall include:

a) Means to prevent medium and large goods vehicles (as defined by the Road Traffic Act 1988 (as amended)) associated with the permitted development from entering and leaving the A27 at Withy Patch layby unless the total number of such vehicles entering and leaving the A27 at Withy Patch layby from adjacent land excluding the A27 carriageway does not exceed 100 (200 movements) per day.

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b) Means to prevent construction vehicles associated with the permitted development from using the gap in the A27 central reservation to access the development site from or to the A27. The construction of the development shall be carried out in accordance with the approved Construction Management Plan unless otherwise agreed in writing by the local planning authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport).

Reason: To ensure that the construction of the development does not result in avoidable congestion on the A27, to ensure that the A27 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

09. No development shall take place until a construction method statement has been submitted to and approved in writing by the local planning authority. The construction method statement shall include the provision of wheel washing facilities on site. The approved construction method statement shall thereafter be fully implemented for the duration of the construction works.

Reason: *To prevent extraneous material being deposited on the highway. To ensure that the A27 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.*

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.

Ref: AWDM/0759/16

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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) or householder application, of the date of this notice, using a form which you can get from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

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).