Expiry Date - 20/04/2011

Development Control – Delegated Officer Report

Application Number: ADC/0105/11 Recommendation – APPROVE

Site: **Marks and Spencer Holmbush Centre Upper Shoreham Road Shoreham-by-Sea West Sussex**

Proposal: **Application for non-material amendment to conditions 07 and 09 of ADC/0316/08 (relating to construction statement and external materials for proposed extension)**

The Application

The permission ADC/0316/08 includes the following conditions:-

07. No development shall take place, including any works of demolition, until a Construction Method Statement (including arrangements for construction traffic) has been submitted to and approved in writing by the LPA and the approved Statement shall be adhered to throughout the construction period. It shall provide for:-

i. parking of the vehicles of site operatives and visitors;
ii. loading/unloading of plant and materials;
iii. storage of plant and materials;
iv. erection and maintenance of security hoardings;
v. wheel-washing facilities;
vi. measures to control the emission of dust and dirt;
vii. a scheme for recycling/disposing of demolition and construction waste.

09. No development shall be carried out unless and until a schedule of materials and finishes to be used for the external walls (including windows and doors) and roof of the proposed building has been submitted to and approved in writing by the LPA.

The present application is to replace these conditions with 2 new ones worded as follows:-

07. The Construction Statement dated 26 January 2011 (Ref.151001/ CM/001) shall be adhered to throughout the construction period.

09. The materials used for the external walls (including windows and doors) and roof of the proposed building shall be those set out in the Schedule of Materials dated 21 March 2011.

The application is accompanied by the above Construction Statement and the Schedule of Materials and samples have been submitted.

The reason for submitting the application is because the development has already been commenced whereas the conditions as imposed require the details to be approved prior to commencement. The agent states it is the

simplest procedural way to resolve a timing problem. Para 48 of the DCLG Guidance on Greater Flexibility for Planning Permissions Oct 2010 specifically provides for replacement conditions under this procedure.

Consultations and Representations

West Sussex County Council: Have previously been consulted on the Construction Statement dated 26 January 2011 (Ref.151001/CM/001) and raised no objection. Commented that traffic routing to the site is relatively straightforward. It is inevitable that some parking spaces will be lost to create the site compound. Contractors parking needs to be carefully managed particularly at peak times to avoid excess pressure within the car park but there is an undertaking to mitigate and manage this.

Adur District Council: The EHO has also previously been consulted on the Construction Statement dated 26 January 2011 (Ref.151001/CM/001) and raised no objection, stating the report covers all the main issues and it undertakes to contact the EHO in advance of any noisy works.

Planning Assessment

As regards the Construction Statement, this was submitted and considered in January-February 2011 and was informally agreed after consulting WSCC, who requested imposition of this condition, and the EHO (see above).

The samples of external materials now submitted accord with the plans previously approved. The main concern is to ensure the bricks and tiles match the existing building as closely as possible.

Recommendation

APPROVE the non-material amendment**s** .....for the avoidance of doubt , these details comprise:-

Construction Statement dated 26 January 2011 Ref.151001/CM/001.
Materials Schedule dated 21 March 2011.

.....permission ADC/0316/08 still stands and .....continue to apply to the development except that the following conditions are substituted for conditions 07 and 09 of the existing planning permission (for the same reasons):-

07. The Construction Statement dated 26 January 2011 (Ref.151001/CM/001) shall be adhered to throughout the construction period.

2. The materials used for the external walls (including windows and doors) and roof of the proposed building shall be those set out in the Materials Schedule dated 21 March 2011 and the samples deposited on 23 March 2011.