Adur District Council

Development Management

Mr David Pickford
Pegasus Group
5 The Priory
Old London Road
Canwell
Sutton Coldfield
West Midlands
B75 5SH

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0325/16

Details of Development
CHANGE OF USE FROM USE CLASS A2 (PROFESSIONAL SERVICES) TO USE CLASS A5 (HOT FOOD TAKEAWAY) WITH REPLACEMENT SHOPFRONT AND INSTALLATION OF EXTRACTION AND AIR CONDITIONING UNITS TO NORTH ELEVATION.

Location of Development
34 NORTH ROAD LANCING WEST SUSSEX BN15 9AT

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 10th March 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
31/05/2016

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
DX: 142965 Worthing 10 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
EXISTING & PROPOSED ELEVATIONS	16.0052/PL02	10.03.2016
EXISTING & PROPOSED PARKING	16.0052/PL03 Rev C	07.04.2016
EXISTING AND PROPOSED PLANS	16.0052/PL01 Rev B	12.05.2016

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 be carried out unless and until a schedule of materials, colours and finishes to be used for the shopfront(s) hereby permitted (including any vinyls or treatment applied to the shop windows) have been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved schedule and details.

Reason: *In the interests of visual amenity and to comply with saved policy AG1 of the Adur District Local Plan.*

04. The use hereby permitted shall not be carried on unless and until a sound insulation scheme has been implemented between the premises and the first floor flat(s) above in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB). Following implementation of the insulation scheme, a test shall be undertaken to demonstrate that the attenuation measures carried out has achieved the minimum airborne sound insulation criteria. The use hereby permitted shall not commence until test results, demonstrating the minimum sound insulation criteria has been achieved, has been submitted to and approved by the Local Planning Authority.

Reason: *In the interest of amenity and to comply with saved policy AP7 of the Adur District Local Plan.*

05. The hot food takeaway use hereby permitted shall not be carried on except between the hours of 09.00 and 23.00 on any day with no customer orders taken after 23.00 hrs and all activity at the premises to have ceased by 12 Midnight.

Reason: *In the interests of amenity having regard to saved policy AG1 of the Adur District Local Plan.*

06. At no time shall any operational customer delivery vehicle park or wait in the rear car park after 18.00 hrs on any day.

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

07. The secure, covered bike store shown on the plans shall be provided prior to commencement of the use hereby permitted and shall thereafter be retained permanently solely for storing cycles and mopeds in connection with the permitted takeaway use.

Reason: *To encourage and provide for a sustainable non-car mode of transport.*

08. No externally-sited plant or machinery other than that shown on the approved drawing(s) shall be installed on the premises.

Reason: *In the interests of amenity and the environment having regard to saved policy AG1 of the Adur District Local Plan.*

09. Prior to commencement of the use hereby permitted a Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. This shall set out the arrangements for the loading and unloading of deliveries, in terms of location and frequency, and set out arrangements for the collection of refuse. The use shall be carried out only in accordance with the approved Plan.

Reason: *In the interests of highway safety and amenity.*

10. The use hereby permitted shall not commence unless and until the ventilation and extraction system has been installed in strict accordance with the submitted details and shall thereafter be operated at all times the premises is open for business and maintained in accordance with the manufacturer's instructions.

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

Informatives / Notes to Applicant

01. The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

02. A formal application for connection to the public sewerage system is required in order to service this development. The applicant is advised to contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel 0330 303 0119) or www.southernwater.co.uk

03. 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/0325/16

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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 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.