City Development & Regeneration
Hove Town Hall
Norton Road
Hove BN3 3BQ

Application No: BH2019/01422

Cemex
188 High Street
Egham
TW20 9ED

BRIGHTON AND HOVE CITY COUNCIL
Town and Country Planning Act 1990 (as amended)
GRANT OF PLANNING PERMISSION

Address: Cemex Brighton Plant And Wharf Basin Road North Portslade BN41 1WA
Description: Alterations to layout at existing wharf, incorporating demolition of existing office building and erection of two storey office/welfare buildings, installation of new feed conveyor, hopper and storage bays, repositioning of weighbridge and erection of new weighbridge office and alterations to car parking, boundary wall and access.

In accordance with the application and plans submitted to the Council on 14 May 2019 and SUBJECT to compliance with any condition(s) specified hereunder:

Conditions:
1. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.
Reason: For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Location Plan	1904/P2/SH RHAM/2 EX-SITE		14 May 2019
Block Plan	TD18029 SHEET 1	REV H	3 June 2019
Proposed Drawing	TD18029 SHEET 2	REV H	3 June 2019
Proposed Drawing	TD18029 SHEET 4	REV H	3 June 2019
Proposed Drawing	TD18029 SHEET 3	REV H	3 June 2019

2. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

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3. With the exception of the unloading from dredgers of marine dredged aggregates, and the use of offices and maintenance workshops, no operations authorised or required under this permission shall take place except between the
hours of:
o 0700 and 1900 Mondays to Fridays; and
o 0700 and 1300 on Saturdays.
No operations, including the use of the workshops, shall take place on Sundays or Public/Bank Holidays.
Reason: To safeguard the amenities of the locality and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

4. Deliveries of aggregates to the site shall only be by sea unless agreed in advance and in writing by the County Planning Authority.
Reason: To ensure the site is used primarily for the handling of materials delivered by sea and to minimise traffic movements on and off the site in accordance with polices SU10, QD27 and TR7 of the Brighton & Hove Local Plan.

5. Notwithstanding the provisions of Schedule 3, Part 8 of the Town and Country Planning (General Permitted Development)(England) Order 2015, no further plant or machinery shall be erected on the site without the prior approval of the County Planning Authority.
Reason: To safeguard the amenities of the locality and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

6. No lighting shall be operated so that the source of light is directly visible from the A259 road or residential properties adjacent to the site.
Reason:To minimise the impact of site operations on residents and highway safety in accordance with policies SU10, QD25 and QD27 of the Brighton & Hove Local Plan.

7. All plant, equipment, machinery and vehicles that are operated on the site shall use white noise alarms (as opposed to single tone 'bleeping' alarms); and shall be fitted with silencing or noise reduction equipment to a standard not less than the manufacturer's UK standard specification for the equipment. All chutes and hoppers shall be lined with rubber or similar noise-absorbent material.
Reason: To safeguard the neighbourhood amenity and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

8. No sound reproduction or amplification equipment (including public address systems, tannoys, loudspeakers, etc.) which is audible outside the site boundary shall be installed or operated on the site.
Reason: To safeguard the neighbourhood amenity and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

9. Any facilities for the storage of oil, fuel or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total

volume for single and hydraulically linked tanks. If there is a multiple tankage, the bund capacity shall be 110% of the largest tank or 25% of the total capacity of all tanks, whichever is the greatest. All filling points, vents, gauges and sight glasses and overflow pipes shall be located within the bund. There shall be no outlet connecting the bund to any drain, sewer or watercourse or discharging into the ground. Associated pipework shall be located above ground where possible and protected from accidental damage.
Reason: To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan

10. If during construction, contamination not previously identified is found to be present at the site, no further development (unless otherwise agreed in writing by the Local Planning Authority), shall be carried out until a method statement identifying and assessing the risk and proposing remediation measures, together with a programme for such works, shall be submitted to the Local Planning Authority for approval in writing. The remediation measures shall be carried out as approved and in accordance with the approved programme.
Reason: To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

Informatives:
1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.

2. The applicant should be aware that whilst the requisite planning permission may be granted, this does not preclude the Environmental Protection department from carrying out an investigation in line with the provisions Environmental Protection Act 1990, should any complaints be received with regards to noise from the premises

3. The applicant is minded that, under the Wildlife and Country Side Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting birds activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

4. Planning permission is no defence against a statutory noise or dust nuisance investigation. The council is required to investigate under the provisions of the Environmental Protection Act 1990 to determine whether or not a statutory nuisance is occurring and if any action is appropriate.

5. Any external lighting should comply with the recommendations of the Institution of Lighting Professionals (ILP) e.g. Guidance On Undertaking Environmental Lighting Impact Assessments, or similar guidance recognised by the council. A certificate of compliance signed by a competent person (such as a member of the Institution of Lighting Engineers) should be submitted with the details. Please
contact the council's Pollution Team for further details. Their address is Environmental Health & Licensing, Bartholomew House, Bartholomew Square, Brighton, BN1 1JP (telephone 01273 294490 email: ehl@brightonhove. gov.uk website: www.brighton-hove.gov.uk).

6. The existing site is controlled by conditions imposed via planning permissions SW/80/87 (West Sussex) and 3/87/660 (East Sussex), and as such it is not considered that the majority of these conditions would have to change as a result of this proposal.

Dated this 3 December 2019

[redacted]
Liz Hobden
Head of Planning
City Development and Regeneration

NOTE: This decision does not give approval of plans for the purposes of the Building Regulations 1991. If an application for such approval has been made a decision has or will be given separately.