ADUR DISTRICT COUNCIL

Mr Philip Holdcroft
Landmark Estates
7 HIGH STREET
RINGWOOD
BH24 1AB

# PLANNING PERMISSION

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

## APPLICATION NUMBER: AWDM/1115/22

Details of Development
**APPLICATION TO VARY CONDITION 26 OF PREVIOUSLY APPROVED AWDM/0935/13. AMENDMENT: TO ALLOW THE RETAIL STORE TO BE USED AS A CONVENIENCE STORE TO ALLOW FOR EXTENDED OPENING HOURS FROM 7AM TO 10PM SEVEN DAYS A WEEK (INCLUDING BANK HOLIDAYS). (RESUBMISSION OF AWDM/1801/21)**

Location of Development
**FORMER RIVERBANK BUSINESS CENTRE 39 OLD SHOREHAM ROAD SHOREHAM-BY-SEA WEST SUSSEX BN43 5FL**

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 30th June 2022.

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
12/08/2022

Adur District Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Email: planning@adur-worthing.gov.uk
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 |
|---|---|---|
| SITE LOCATION PLAN | A-7003 P04 | 30.06.2022 |
| SUPPORTING LETTER | | 30.06.2022 |

**Reason:** *For the avoidance of doubt and in the interests of proper planning.*

02. The class E1(a) retail store hereby approved shall not be open for trade or business other than between the hours of 7.00 am and 10.00 pm.

**Reason:** *To protect the residential amenities of the area.*

03. The premises shall be used only as a retail store and for no other purpose within Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended or in any provision equivalent to that class in any Statutory Instrument revoking and re-enacting that Order with or without modification).

**Reason:** *To ensure that the mixed use development approved under planning permission AWDM/0935/13 is retained.*

04. Prior to the commencement of development, a Management Plan shall be submitted to and approved by the Local Planning Authority outlining measures to enable noise mitigation for the use, including deliveries, of the unit hereby approved, an anti litter plan, the position of the trolley store and details of the methods ongoing consultation with local residents. In all other respects, the operation of the site shall comply with the Delivery Management Plan received on 19 November 2021 under reference AWDM/1801/21 and the approved details maintained thereafter.

**Reason:** *In the interests of the amenities of neighbouring properties in accordance with policy 15 of the Adur Local Plan.*

**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.

**Ref: AWDM/1115/22**

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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 the decision relates to a householder application or minor commercial application, and you want to appeal, then you must do so within 12 weeks of the date of this notice. If the decision relates to express consent for the display of an advertisement, then you must do so within 8 weeks of the date of this notice. If the decision relates to a non-householder application, an appeal must be lodged within 6 months of the date of the decision notice. Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at https://acp.planninginspectorate.gov.uk.

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. 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.

7. 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 on the same, or substantially the same, development as in the householder application within 2 years of the date the application was made, the period for receiving an appeal is within 28 days of the date on the decision notice or of the date by which the LPA should have decided the application. Where an enforcement notice was served after the decision notice was issued or after the end of the period the LPA had to determine the application, the period for receiving an appeal is within 28 days of the date the enforcement notice was served (unless this extends the normal 12 weeks deadline).