ADUR DISTRICT COUNCIL

Paul Joyce
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2 Port Hall Road
Brighton
BN1 5PD
United Kingdom

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0597/21

Details of Development
CHANGE OF USE FROM LIGHT INDUSTRIAL (USE CLASS E) TO INDUSTRIAL (USE CLASS B2) FOR USE AS A BREWERY; INCLUDING 4NO PROPOSED 8.3M HIGH BEER TANKS, 2NO PROPOSED 9.8M HIGH BULK MALT SILOS, 3M HIGH CHILLER, 4M HIGH CO2 TANK ENCLOSED BY A 1.8M HIGH METAL SECURITY FENCE, 2NO. KEG STORES, ROLLER SHUTTERS, 3M HIGH METAL FENCING, EXTENSION TO DROPPED KERB FROM DOLPHIN ROAD TO PROVIDE A WIDER OPENING FOR LORRY ACCESS, ALTERATIONS TO PARKING (AMENDED DESCRIPTION)

Location of Development
PYROBAN ENDEAVOUR WORKS 51 DOLPHIN ROAD SHOREHAM-BY-SEA WEST SUSSEX BN43 6QG

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 8th April 2021.

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
21/06/2021

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
PLANNING STATEMENT	MARCH 2021	08.04.2021
LOCATION & BLOCK PLANS	01A	08.04.2021
EXISTING GROUND FLOOR PLAN & SECTION	02	08.04.2021
EXISTING FIRST FLOOR PLAN & ELEVATIONS	03	08.04.2021
PROPOSED GROUND FLOOR PLAN & SECTION	04	08.04.2021
PROPOSED FIRST FLOOR PLAN & ELEVATIONS	05	08.04.2021
EXISTING & PROPOSED ROAD ELEVATION & KEG STORES	06	08.04.2021
PROPOSED VEHICLE TURNING PATH	07	08.04.2021

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 part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: *To provide car-parking space for the use having regard to policy 28 of the Adur Local Plan.*

04. No part of the development shall be first occupied until the HGV vehicle turning space has been constructed within the site in accordance with the approved site plan. This space shall thereafter be retained at all times for their designated use.

Reason: *In the interests of road safety having regard to policy 28 of the Adur Local Plan.*

05. No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the approved drawing

Reason: *In the interests of road safety having regard to policy 28 of the Adur Local Plan.*

06. No part of the development shall be first occupied until such time as a Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan Statement shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: *To encourage and promote sustainable transport having regard to Policy 28 of the Adur Local Plan and the NPPF.*

07. The premises shall be used as a brewery with associated activities only and for no other purpose within Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any Statutory Instrument revoking and re-enacting that Order with or without modification).

Reason: *In the interests of amenity and to enable the Local Planning Authority to retain control over future uses on the industrial estate having regard to policies 15 and 25 of the Adur Local Plan.*

08. Upon the cessation of the brewery use the site shall revert to Class E(g) (ii) - research and development or E(g)(iii) - light industrial uses, unless otherwise approved in writing by the Local Planning Authority by way of an application on that behalf.

Reason: *In the interests of amenity and to enable the Local Planning Authority to retain control over future uses on the industrial estate and to retain a level of light industrial sites on the Dolphin Road estate having regard to policies 15 and 25 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.

02. Works within the Highway - Implementation Team
The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

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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.

6. If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Purchase Notices

7. 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.

8. 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.

9. Further correspondence about this application should quote the reference number at the top right hand corner of the form.

10. 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).