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Development Control

PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

APPLICATION NUMBER: ADC/0673/07

Cluttons LLP
Portman House
Portman Street
London
W1H 6DU

Details of Development
STEEL PROCESSING, STORAGE AND ADMINISTRATION BUILDING IN CONNECTION WITH THE USE OF THE SITE FOR IMPORTING STEEL

Location of Development
FISHERSGATE TERMINAL BASIN ROAD SOUTH SOUTHWICK WEST SUSSEX

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 2nd November 2007.

This is for reasons stated on the attached schedule and subject to compliance with the conditions specified thereon.

Your copy of the application, determined as above, is returned herewith for your records.

James Appleton
Executive Head of Planning, Regeneration and Wellbeing

15/09/2008

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SCHEDULE

Reasons for Granting Permission

01. The proposal is for a port-related use within an area identified for such use in the Adur District Local Plan under development proposal DP.AE6. It would help meet the need for additional employment and economic regeneration without, subject to compliance with conditions, detracting from the local environment or from highway safety. The development would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AG3, AP4, AP9, AB27, AT3, AE7-9), the West Sussex Structure Plan (NE1, NE5-6, CH1, ERA1, ERA3-5, DEV1, DEV3-5) and the Draft South East Plan Core Document 2006-26 (CC2-5, CC12, NRM1, NRM3-4, NRM7-8, EN1-2, T1, T5, T7-8)

Conditions

01. 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.*

02. Details of boundary fences and gates shall be submitted to and approved in writing by the Local Planning Authority and the processing building shall not be occupied until such fences and gates have been erected.

Reason: *In the interests of amenity and to comply with policy AG1 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

03. The processing building shall not be occupied until the car, lorry/trailer and cycle parking facilities shown on the amended plan 18301/P/01 rev.B have been provided in accordance with construction details to be submitted to and approved in writing by the Local Planning Authority. The areas of land so provided shall not thereafter be used for any purpose other than access and parking of vehicles and cycles incidental to the use of the proposed development.

Reason: *To balance the need for sustainable travel with an appropriate level of parking and to comply with policy AT3 of the Adur District Local Plan and DEV4-5 of the West Sussex Structure Plan.*

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04. The processing building hereby permitted shall not be occupied until space has been laid out within the site in accordance with the amended plan 18301/P/01 rev.B for the turning of vehicles clear of the public highway and such space shall not thereafter be used other than as a turning area.

Reason: *In the interest of highway safety and to comply with policy DEV4 of the West Sussex Structure Plan.*

05. Prior to commencement of use of the building for steel processing purposes, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority and the measures it contains (including routing of the applicant's HGVs through the built-up areas of Adur District and Brighton & Hove) shall be implemented within one month of commencement of steel processing and thereafter continued until such time as otherwise approved in writing by the Local Planning Authority.

Reason: *To encourage sustainable travel and reduce usage of cars in compliance with policies DEV4-5 of the West Sussex Structure Plan.*

06. No construction work shall be carried out on site unless there is available within the site in accordance with details approved by the Local Planning Authority provision for temporary parking and loading/unloading of all Contractors vehicles, and for Contractors buildings, plant, and stacks of materials and such provision shall be retained for these purposes throughout the period of work on the site.

Reason: *In the interests of highway safety and amenity and to comply with policy DEV4-5 of the West Sussex Structure Plan.*

07. No work shall be carried out on the site unless and until an effective vehicle wheel-cleaning facility has been installed in accordance with details approved by the Local Planning Authority and such facility shall be retained in working order and operated at all times that the premises are in use to ensure that vehicles do not leave the site carrying earth, mud or other material on their wheels in a quantity which causes a nuisance or hazard on the road system in the locality.

Reason: *In the interest of highway safety and to comply with policy DEV4 of the West Sussex Structure Plan.*

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08. No development shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: *In the interests of visual amenity and the environment and to comply with policy AB26-27 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

09. No development shall be carried out unless and until a schedule of materials and finishes to be used for the external walls and roof of the proposed processing building and weighbridge housing having been submitted to and approved in writing by the Local Planning Authority.

Reason: *In the interests of visual amenity and to comply with policy AH2 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

10. The premises shall be used only for processing of metal products in transit through the harbour and/or for storage of goods in transit through the harbour and for no other purpose notwithstanding the provisions of 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 the environment and to comply with policies AG1, AE7-9 and DP.AE6 of the Adur District Local Plan and NE6 and DEV1 of the West Sussex Structure Plan.*

11. The fabric of the processing building shall be designed and completed so that its level of noise breakout contribution at the nearest dwellings does not exceed 33dB LAeq, T (2300-0700 hours). The time T shall accord with BS4142:1997.

Reason: *In the interests of amenity and to ensure the use of the site does not have a harmful environmental effect and in accordance with policies AG1 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

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12. All fixed mechanical services plant shall be designed and installed so that its noise contribution at the nearest dwellings does not exceed 38dB LAeq, T (0700-2300 hours) and 28dB LAeq, T (2300-0700 hours). The time T shall accord with BS4142:1997.

Reason: *In the interests of amenity and to ensure the use of the site does not have a harmful environmental effect and in accordance with policies AG1 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

13. The loading doors on the north elevation of the processing building shall be kept closed between the hours of 11pm and 7am every day, unless otherwise agreed in writing with the Local Planning Authority.

Reason: *In the interests of amenity and to ensure the use of the site does not have a harmful environmental effect and in accordance with policies AG1 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

14. No reversing alarms shall be used on the operator's vehicles and mobile plant between the hours of 11pm and 7am unless they are of the 'non-tonal' type.

Reason: *In the interests of amenity and to ensure the use of the site does not have a harmful environmental effect and in accordance with policies AG1 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

15. No external processing work shall take place anywhere on the premises to which this permission relates and all such working shall be confined to the buildings.

Reason: *In the interests of amenity and to comply with policy AG1 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

16. The development hereby permitted shall not be commenced until details of the surface water drainage and means of disposal have been submitted to and approved by the Local Planning Authority and the building shall not be occupied until all drainage works have been carried out in accordance with such details as approved by the Local Planning Authority. There shall be no discharge of contaminated drainage into either ground water or any surface waters whether direct or via soakaways.

Reason: *To prevent pollution of controlled waters and to comply with policies AP4 of the Adur District Local Plan and ERA3-5 of the West Sussex Structure Plan.*

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17. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas, roads and hardstandings shall be passed through trapped gullies designed and constructed to have a capacity and details compatible with the site being drained. Roof water from buildings shall not pass through any such trapped gully.

Reason: *To prevent pollution of controlled waters and to comply with policies AP4 of the Adur District Local Plan and ERA3-5 of the West Sussex Structure Plan.*

18. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for an amendment to the Construction Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: *To safeguard against public health and safety risk and to comply with policy ERA5 of the West Sussex Structure Plan.*

19. If any fill material is used it shall be clean, uncontaminated rock, subsoil, brick rubble, crushed concrete and/or ceramic.

Reason: *To safeguard against public health and safety risk and to comply with policy ERA5 of the West Sussex Structure Plan.*

20. Piling of foundations shall only be undertaken in accordance with details which have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of piling work.

Reason: *To safeguard against public health and safety risk and to comply with policy ERA5 of the West Sussex Structure Plan.*

21. The development shall be carried out in accordance with a Construction Method Statement to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. This shall contain details of the means of protecting the aquatic environment of the harbour including emergency procedures in the case of spillage or fire and pollution prevention measures to reduce the possible impact of sediment or contaminated surface water run-off. Thereafter the scheme shall be completed in accordance with the approved plans and details.

Reason: *To protect the estuarine environment and comply with polices ERA3 and ERA5 of the West Sussex Structure Plan.*

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22. This permission relates to the amended plans 18301/P/01B, 02A, 03A, 04A, 05B, 06A, 07 & 08A received on 21st July 2008 and not to the plans originally submitted.

Reason: *For the avoidance of doubt and because the application as originally submitted was unacceptable having regard to policy AG1 of the Adur District Local Plan and DEV1 & DEV4-5 of the West Sussex Structure Plan.*