Adur District Council

Development Management

Mr Steve Norton
Darnton B3
The Coach House
Monk Fryston Hall
Monk Fryston
Leeds
LS25 5DU

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0998/18

Details of Development
1NO. AIR CONDITIONING UNIT, 1NO. CONDENSER AND 1NO. COMPRESSOR IN REAR YARD. 2.3M HIGH CHILLER UNIT AND FREEZER UNIT IN REAR YARD WITH BARRIER PROTECTION; 2.4M HIGH TIMBER FENCE TO REAR TO STORE PLANT COMPOUND. BLOCK UP 1NO. DOOR AND 4 NO. WINDOWS

Location of Development
57 - 59 TEST ROAD SOMPTING WEST SUSSEX BN15 0EN

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 25th July 2018.

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
18/09/2018

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
COLDSTORE SPECIFICATION	Ref: CSQ48941	25.07.2018
PROPOSED SITE PLAN	Drg No 90001	25.07.2018
SITE LOCATION PLAN	Drg No 90002 Rev A	25.07.2018
EXISTING FLOOR PLAN	Drg No 20010	25.07.2018
PROPOSED FLOOR PLAN	Drg No 20011	25.07.2018
EXTG EXTERNAL ELEVATIONS	Drg No 20012	25.07.2018
PROPOSED EXTERNAL ELEVATIONS	Drg No 20013	25.07.2018
PROP REFRIGERATION PLANT LAYOUT	Drg No CR3 Rev 02	25.07.2018

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 commence until a scheme has been submitted to and approved by the local planning authority for attenuating noise from all external fixed plant, to include (but not limited to) new and existing air conditioning units, condensers and compressors, freezers and chiller. The scheme shall have regard to the principles of BS4142: 2014 and ensure there is no detrimental impact to the amenity of the flats above and the nearest residential dwellings on Hamble Road. The approved noise attenuation measures shall be implemented before first use of the plant hereby approved and a test to demonstrate compliance with the scheme shall be undertaken within 1 month of the scheme being implemented. All plant within the scheme shall be maintained in accordance with manufacturers guidance and any future replacement plant shall also meet the specified levels within the approved scheme.

Reason: *In the interests of residential amenity in accordance with policy 15 and policy 34 of the Adur Local Plan 2017.*

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.

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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, 12 weeks for a minor commercial (shop front) of the date of this notice. Appeals must be made using a form which you can get from the Secretary of State online at https://acp.planninginspectorate.gov.uk or at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000).

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.

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).