ADUR DISTRICT COUNCIL

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PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0243/22

Details of Development
CHANGE OF USE FROM CLASS B8 STORAGE TO GO-KART MANUFACTURING, MAINTENANCE, TESTING AND RACING CENTRE (UNIT 2 CHARTWELL ROAD) - APPLICATION TO VARY CONDITION 3 OF ADC/0369/10 TO EXTEND OPERATING HOURS TO 09.00AM TO 11.30PM AND CHANGE PETROL DRIVEN GO-CARTS TO ELECTRIC.

Location of Development
UNIT 2 30 CHARTWELL ROAD LANCING BUSINESS PARK LANCING 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 18th February 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
25/03/2022

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	Date Rec
LOCATION PLAN	18.02.2022

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

02. The premises shall be used only for the manufacture, maintenance, testing and racing of go-karts and for no other purposes within Use Class E 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),but with reversion of use to a Class B8 warehouse in the event of such use ceasing.

Reason: *To safeguard the site for warehouse uses having regard to policy 25 of the Adur Local Plan.*

03. The premises shall not be open for trade or business other than between the hours of 9.00am and 11.00pm on any day, with all activity at the unit ceasing by 11.30pm, and only electric go-karts shall be operated on the site at any time

Reason: *In the interests of residential amenity having regard to policies 15 and 34 of the Adur Local Plan.*

04. The previously approved extraction or other air handling plant or externally-sited machinery and noise attenuation measures shall be retained permanently unless otherwise agreed 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 policy 34 of the Adur Local Plan.*

05. The previously approved Travel Plan shall continue to be maintained and developed to the satisfaction of the local planning authority.

Reason: *To encourage and promote alternative travel options to the use of the private car and to ensure the delivery of sustainable development in accordance with the NPPF.*

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06. The previously approved measures to control noise emanating from the premises shall be maintained unless otherwise agreed with the Local Planning Authority.

Reason: *In the interest of amenity and to comply with policy 34 of the Adur Local Plan.*

07. The noise from the premises shall not exceed 10dB below background noise level as measured at the entrance to the car park at Units 1 & 2 Royal Buildings, Marlborough Road

Reason: *In the interests of residential amenity and to ensure the use of the site does not have a harmful environmental effect and in accordance with policy 34 of the Adur Local Plan.*

08. The access and parking spaces for vehicles and cycles shall be retained and used only for access and parking of vehicles and cycles incidental to the use of the premises concerned.

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

09. Any facilities for the storage of oils, fuels or chemicals in connection with the use shall be fixed on an impervious base and surrounded by impervious walls and shall be constructed and completed in accordance with plans to be approved by the Local Planning Authority.

Reason: *To safeguard against pollution having regard to policies 34 and 35 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/0243/22

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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).