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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/0783/07

Lynne Taylor
R H Partnership Architects
15 Bond Street
Brighton
East Sussex

Details of Development
REDEVELOPMENT OF FACTORY AND ADJACENT WAREHOUSE WITH 34 FLATS (WITH 34 PARKING SPACES AND AMENITY SPACE) AND 6 TERRACED HOUSES (WITH 12 PARKING SPACES)

Location of Development
KINGSTON WORKS GARDNER ROAD 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 10th January 2008.

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.

Keith Morgan
Planning Services Manager

10/04/2008

SCHEDULE

Reasons for Granting Permission

01. The proposed development is within the built-up area and would help meet the need for additional housing without detracting from the existing local urban environment. It can take place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detraction from highway safety. It would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AH2) and the West Sussex Structure Plan 2001-16 (LOC1, NE1-2, CH1, ERA1, DEV1, DEV4-5).

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. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any Order revoking and re-enacting that Order with or without modification) no gate, fence, wall or other means of enclosure shall be erected or constructed on any area lying between the proposed buildings and the existing or proposed highways (including public paths) unless permission is granted by the Local Planning Authority on an application in that behalf.

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

03. No development shall take place until details of walls and/or fences have been submitted to and approved in writing by the Local Planning Authority and the building shall not be occupied until such walls and/or fences have been erected.

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

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04. The dwellings shall not be occupied until the car and cycle parking spaces and access facilities shown on the submitted plans 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 incidental to the use of the proposed dwellings.

Reason: *To ensure adequate provision for parking clear of the highway and to comply with policy AH2 of the Adur District Local Plan and DEV4-5 of the West Sussex Structure Plan.*

05. The accesses from the site to the public highway shall be designed, laid out and constructed with kerb radii, visibility splays and sight lines in all respects in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority before any other operation or use authorised by this permission is commenced. Thereafter such visibility splays and sight lines shall be kept clear of any obstruction.

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

06. The access shall not exceed 4.5 metres in width and shall be laid out to provide visibility splays on each side of its junction with the existing public highway. These splays shall be 2 metres by 2 metres on each side of the access based on the existing highway boundary. No other work shall be carried out on the site until the above mentioned splay areas have been provided and thereafter they shall be kept free from any obstruction to visibility in excess of 0.6 metres above the level of the adjoining carriageway.

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

07. The building hereby permitted shall not be occupied until the existing access to the site (other than hereby approved) has been stopped up permanently and obliterated in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

08. 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.*

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09. With the exception of work in connection with the construction of the access road to serve the proposed development, no work shall be undertaken on the site until the said access road has been constructed in accordance with detailed plans to be submitted to and approved in writing by the Local Planning Authority.

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

10. 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.*

11. No works or development shall take place until full details of all hard and soft landscaping works and the proposed times of planting have been approved in writing by the Local Planning Authority and all soft landscape works shall be carried out in accordance with those details and at those times. Any plants which within a period of five years from the time of planting 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.*

12. 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 building has 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.*

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13. This permission relates to the application as amended by the revised plans Site Plan BRJ 100 Rev.0 received on 10/01/08; Site Plan and street scenes BRJ 200 Rev.02 received 06/03/08; ground and first floor plans - flats BRJ 201 Rev.01 received 06/03/08; Second and third floor plans - flats BRJ 202 Rev.01 received 06/03/08; Elevations - flats BRJ 203 Rev.01 received 06/03/08; and Floor plans and elevations - houses BRJ 204 Rev.02 received 12/03/08;.

Reason: *For the avoidance of doubt and because the application as originally submitted was unacceptable having regard to policy AH2 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

14. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Planning Authority.

Reason: *The site is of archaeological significance and it is important that it is recorded by excavation and to comply with policy AB1 of the Adur District Local Plan and CH7 of the West Sussex Structure Plan.*

15. Lighting of communal areas shall be provided prior to occupation of the dwellings/flats in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: *In the interests of amenity and crime prevention and to comply with policy AP9 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

16. No development shall be carried out until all buildings and structures existing on the application site at the date of this permission (except boundary walls or fences) have been demolished, the debris removed from the site and the site cleared.

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

17. The approved dwellings facing the railway line hereby permitted shall not be occupied until they have been protected from noise in accordance with recommendations as set out in the noise assessment report from Anderson Acoustics Ltd dated 31 January 2008.

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

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18. Prior to the commencement of development, details of the floor level of the proposed building and any alterations to the ground levels of the site shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in strict accordance with such details as approved.

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

19. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any order revoking and re-enacting that Order with or without modification), the proposed dwellings shall not be extended or any incidental building (exceeding 10 cubic metres in volume) erected within its curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

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

20. The balconies on west elevation of the flats hereby approved shall be screened in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason: *To prevent overlooking and to comply with policy AH7 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

21. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any Order revoking and re-enacting that Order with or without modification), no windows or other openings (other than as hereby approved) shall be formed in the eastern and western walls of the dwellings without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: *To prevent overlooking and to comply with policy AH2 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

22. No buildings on the site shall be occupied until the associated facilities for storing refuse and waste, including for waste that can be recycled, have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: *In the interests of amenity and to comply with policy DEV1 of the West Sussex Structure Plan and G12 of the West Sussex Waste Local Plan Deposit Draft.*

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23. The development hereby permitted shall not be commenced until details of the proposed 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 ensure adequate drainage and to comply with policy AP4 of the Adur District Local Plan and ERA4-5 & DEV3 of the West Sussex Structure Plan.*

24. No development approved by this planning permission shall be commenced until:-
a) A desktop study has been carried out by a competent person in accordance with B.S.10175:2001 which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced.

b) A site investigation has been designed for the site in accordance with B.S.10175:2001 using the information obtained from desktop study and any diagrammatical representation (Conceptual Model). This should be submitted to, and approved in writing by the Local Planning Authority prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:-
-a risk assessment to be undertaken of the risks to human health, ground and surface waters on and off the site, and the wider environment;
-refinement of the Conceptual Model;and
-the development of a Method Statement detailing the remediation requirements.

c) The site investigation has been undertaken in accordance with details approved by the Local Planning Authority and a risk assessment has been undertaken.

d) A Method Statement detailing the remediation requirements (including measures to minimise the impact on ground and surface waters, using the information obtained from the Site Investigation) has been submitted to the Local Planning Authority. This shall be approved in writing by the Local Planning Authority prior to that remediation being carried out on the site.

The development of the site shall be carried out in accordance with the approved Method Statement.

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Upon completion of the remediation detailed in the Method Statement, a report shall be submitted to the Local Planning Authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post-remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met and future monitoring proposals and reporting shall also be detailed in the report.

Reason: *To safeguard against pollution of controlled waters and risk to public health and safety in compliance with policy ERA5 of the West Sussex Structure Plan.*

25. Only clean, uncontaminated rock, subsoil, brick rubble, crushed concrete and ceramic shall be used as infill material.

Reason: *To safeguard against public health and safety risk and to comply with policy ERA4 of the West Sussex Structure Plan.*