ADUR DISTRICT COUNCIL

Mr Euan Clark
Folkes Architects
The Old Forge
6 Church Street
Storrington
RH20 LA

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1479/19

Details of Development
APPLICATION TO VARY CONDITION 1 OF PREVIOUSLY APPROVED AWDM/0376/18. AMENDMENTS TO INCLUDE ALTERATIONS TO EXTERNAL LAYOUT OF THE SCHEME IN RELATION TO PARKING PROVISION AND REMOVING THE DETACHED 3 BAY GARAGE.

Location of Development
LANCING MANOR FILLING STATION OLD SHOREHAM ROAD LANCING WEST SUSSEX BN15 0QS

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 17th September 2019.

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
16/10/2019

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	Version	Date Rec
PROPOSED SITE SECTIONS	Drg No 2.05 Rev B	17.09.2019
PROPOSED SITE PLAN	Drg No 2.01 Rev G	01.10.2019
PROPOSED FLOOR PLANS	Drg No 2.02 Rev E	01.10.2019
BOUNDARY TREATMENTS	Drg No 2.04 Rev B	17.09.2019

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

02. The development shall be completed in full compliance with the proposed remedial measures outlined in Ashdown Site Investigation Limited's report (ref.: R18- 12916, dated June 2018) which was submitted in support of application AWDM/0376/18. Remedial measures for landscaped areas and narrow planters proposed in this application to follow the remedial measures specified for 'Made ground soils in former filling station area of the site' as specified in Section 7.1.1 of the Site Investigation Report (ref.: R18- 12916, dated June 2018).

No occupation of any part of the development shall take place until a Verification report has been submitted in accordance with Section 9 of the Site Investigation Report (ref.: R18- 12916, dated June 2018). The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: *To prevent pollution of groundwater and in the interests of environmental protection and public health and safety, in compliance with policy 34 of the Adur Local Plan and the National Planning Policy Framework.*

03. All foul drainage works shall be completed in accordance with the approved details and timetable and no dwellings shall be occupied prior to completion of the works.

Reason: *To prevent pollution of the water environment by ensuring the necessary infrastructure is in place, in compliance with policies 29 and 35 of the Adur Local Plan.*

Cont…/

04. The proposed surface water drainage scheme, as set out in the Flood Risk Assessment received 9 July 2015 submitted with application AWDM/0376/18 and as shown on the Drainage Strategy Plan received 23 September 2015, shall be completed in accordance with the approved details before any dwelling is occupied.

Reason: *To prevent pollution of controlled waters and ensure that the proposed development has adequate surface water drainage to prevent flooding in the locality having regard to policies 35 and 36 of the Adur Local Plan.*

05. The development shall be carried out in accordance with the Construction Method Statement approved under application AWDM/0376/18 and shall be adhered to throughout the construction period.

Reason: *In the interests of highway safety and amenity having regard to policies 28 and 34 of the Adur Local Plan.*

06. No work in connection with the construction of the development hereby approved shall take place other than between the hours of 08:00 and 18:00 Monday to Friday and 08:30 and 13:00 on Saturday; with no working on Sundays or on Bank or Public Holidays.

Reason: *To safeguard residential amenities having regard to policy 34 of the Adur Local Plan.*

07. The works to protect future residents from road traffic noise approved under application AWDM/0376/18 shall be completed before the approved dwellings are occupied.

Reason: *In the interests of residential amenity and to comply with policies 15 and 34 of the Adur Local Plan and the National Planning Policy Framework.*

08. The dwellings shall not be occupied until the car parking/garaging spaces (including EV charging facilities) and access facilities as shown on the submitted plans have been provided. The parking and garaging provided pursuant to this condition shall be retained thereafter for its intended use.

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

09. Secure, covered cycle parking shall be provided for each dwelling prior to commencement of use of the dwellings hereby approved. Once provided, such facilities shall be retained thereafter for their intended use.

Reason: *To encourage and provide for a sustainable non-car mode of transport having regard to policy 28 of the Adur Local Plan.*

Cont…/

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) no development within Schedule 2, Part 1 Classes A-E (which classes include extensions, alterations to roofs, erection of porches, outbuildings, enclosures, swimming and other pools and containers for the storage of liquid or gas for domestic heating purposes) shall be erected in association with any of the dwellings hereby permitted.

    Reason: *In the interests of amenity and the environment having regard to the nature of the site and policy 15 of the Adur Local Plan.*

11. The dwellings hereby permitted shall not be occupied until the approved boundary treatment, including acoustic fencing, has been completed in accordance with the details approved under application reference AWDM/0376/18, which shall be retained thereafter.

    Reason: *In the interests of visual amenity having regard to policy 15 of the Adur Local Plan.*

12. No dwelling hereby permitted shall be occupied until associated facilities for the storage of refuse and waste, including recyclables, have been provided in accordance with the details approved under application AWDM/0376/18.

    Reason: *In the interests of amenity having regard to policy 15 of the Adur Local Plan.*

13. There shall be no infiltration of surface water drainage into the ground other than with the express written consent of the local planning authority where it has been demonstrated that there would be no resultant unacceptable risk to controlled waters. Development shall be carried out only in accordance with any such approved details.

    Reason: *To ensure that surface water drainage from the proposed development does not result in a deterioration of groundwater quality having regard to policy 35 of the Adur Local Plan and the National Planning Policy Framework.*

14. All planting, seeding or turfing comprised in the landscaping scheme approved under reference AWDM/0376/18, as amended by this application, 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. The approved details of hard landscaping shall be completed prior to occupation of the buildings.

    Reason: *In the interests of visual amenity and the environment and to comply with policy 30 of the Adur Local Plan.*

Cont…/

15. The development shall be completed in accordance with the schedule of external materials and finishes approved under application AWDM/0376/18.

    Reason: *In the interests of visual amenity and to comply with policy 15 of the Adur Local Plan.*

16. The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment carried out by The Civil Engineering Practice (dated July 2015) including setting finished floor levels at a minimum of 4.32 metres above Ordnance Datum (AOD).

    Reason: *To reduce flood risk for future occupiers having regard to policy 36 of the Adur Local Plan.*

Informatives / Notes to Applicant

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Ref: AWDM/1479/19

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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).