County Planning
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**APPLICATION NUMBER: WSCC/065/19**
**REGULATION 3**

**TOWN AND COUNTRY PLANNING ACT 1990**
**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015**

To: Director of Highways, Transport and Planning

In pursuance of their powers under the above mentioned Act and Orders, West Sussex County Council hereby notify you that they **PERMIT** the following development, that is to say:

> **Demolition of a 3 storey building in a conservation area. Works will include the excavation of foundations and removal of services to the site. The trees located to the site will be retained. At Burrscrofte, Pond Road, Shoreham-by-Sea, BN43 5WZ.**

to be carried out in accordance with your application and plans (as modified by the under-mentioned conditions) submitted to this Council on 1 August 2019 and subject to the conditions specified hereunder:

## Grant planning permission subject to conditions

**Commencement**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

*Reason: To comply with Section 91 of the Town and Country Planning Act 1990.*

**Approved Plans/Documents**

2. The proposed development shall not take place other than in accordance with the submitted details and the following approved plans:

   - Site Plan (drawing number: DWG – 5187195 - 001);
   - Proposed Building for Demolition Work (drawing number: DWG – 5187195 - 002);
   - Proposed Site Post Demolition (drawing number: DWG – 5187195 - 003);
   - Hoarding Requirements (drawing number: DWG – 5187195 - 004);
   - Separation of Adjoining Building (drawing number: DWG – 5187195 - 005);
   - Preliminary Tree Plan (drawing number: 00132_Burcroft); and
   - Arboricultural Impact Assessment (Ref D1927AIA, dated 31st July 2018)

Date: 04/11/2019 Signed: **Michael Elkington**, Head of Planning Services

**IT IS IMPORTANT THAT YOU READ THE NOTES IN APPENDIX A**

save as varied by the conditions hereafter.

*Reason: To secure a satisfactory development.*

**Protection of retained trees**

3. No equipment or machinery shall be brought on to the site for the purpose of the development or any works take place, until all trees on site, as identified within approved Arboricultural Impact Assessment (Ref D1927AIA, dated 31st July 2018), are protected and retained in accordance with BS5837:2012 Trees in relation to design, demolitions and construction. Such measures shall be implemented and maintained throughout the demolition operations.

   *Reason: To protect existing trees in the interests of amenity.*

**Contaminated Land**

4. If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol/diesel/solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise agreed in writing with the County Planning Authority) shall be carried out until it has been investigated by the developer. The County Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the County Planning Authority for approval in writing before being implemented. If no such contaminated material is identified during the development, a statement to this effect must be submitted in writing to the County Planning Authority.

   *Reason: To ensure that the proposed development would not result in contamination of land.*

**Demolition Management Plan**

5. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the County Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:-

   - the anticipated number, frequency and types of vehicles used during demolition (HGV traffic routings shall be designed to minimise journey distance through the AQMA's).
   - the method of access and routing of vehicles during demolition,
   - the parking of vehicles by site operatives and visitors,
   - the loading and unloading of plant, materials and waste,
   - the storage of plant and materials during demolition,
   - the erection and maintenance of security hoarding,
   - a commitment to no burning on site,

- the provision of wheel washing facilities and other works required to mitigate the impact of demolition upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during demolition works.
- Methods to control dust from the site

*Reason: In the interests of highway safety and amenities of the area.*

**Hoarding Maintenance**

6. Within 2 weeks of the commencement of development, a scheme of maintenance for the site hoarding, including RAL colours and design to be used for the hoarding, as shown on approved plan 'Hoarding Requirements (DWG – 5187195 - 004)' shall be submitted to and approved in writing by the County Planning Authority. The hoarding shall be erected as approved and the maintenance scheme shall be implemented and continued until the hoarding is no longer required.

   Reason: *In the interests of the visual amenity of the area*

**Working Hours**

7. Unless otherwise agreed in advance and in writing by the County Planning Authority no operations associated with the demolition works hereby permitted shall take place outside the hours of:

   - 08.00 and 18.00 Monday to Friday;
   - 09.00 to 13.00 Saturdays;

   and no operations whatsoever as authorised by this planning permission shall occur on Sundays, Bank or Public Holidays.

   *Reason: To protect the amenities of occupiers of nearby residential properties.*

**Archaeological Safeguarding**

8. There shall be no excavating of foundations, tree stumps or tanks. The existing ground levels will be left intact and unexcavated during the demolition scheme.

   *Reason: To protect potential heritage assets of archaeological interest*

**INFORMATIVES**

A. In accordance with the National Planning Policy Framework, the County Planning Authority has approached the determination of this application in a positive way, and has worked proactively with the applicant by:

- Discussing issues of concern as early as possible, including those raised by consultees and third parties;
- Giving them the opportunity to provide further information/changes to overcome material impacts; and
- Working with consultees.

As a result, the County Planning Authority has been able to recommend the grant of planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development.

B. The granting of any planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information please contact Adur and Worthing Councils Public Health and Regulation Team. The developer should at all times employ best practical means to minimise noise disturbance to nearby residents. All construction work practises should comply with B.S. 5228 1:2009 `Code of practice for noise and vibration control on construction and open sites'.

C. To avoid any risk of harm to breeding birds and contravention of the Wildlife and Countryside Act 1981, removal of any vegetation or other nesting feature should be undertaken between September and the end of February. If this is not possible, and vegetation or building are due to be removed between March and August, an Ecologist should check for active bird nests no more than seven days before works commence and any active nest found shall be protected as advised by the Ecologist until the chicks have fledged.

This information is only intended as a summary of the reasons for the grant of planning permission. For further details on the decision, please see the report by contacting County Planning at West Sussex County Council or visiting the website at www.westsussex.gov.uk/planning.

Date: 04/11/2019 Signed: **Michael Elkington**, Head of Planning Services

**APPENDIX A: TOWN AND COUNTRY PLANNING ACT 1990**

YOUR ATTENTION IS DIRECTED TO THE FOLLOWING NOTES.

THEY ARE FOR INFORMATION ONLY AND DO NOT PRETEND TO SET OUT THE WHOLE OF THE LAW ON THE SUBJECT. IT IS RECOMMENDED THAT YOU CONSULT A SOLICITOR IF YOU ARE IN ANY DOUBT.

1 Appeals to the Secretary of State

(a) 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.

(a) If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get online at www.planning-inspectorate.gov.uk or by writing to the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

(b) The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

(c) The Secretary of State need not consider an appeal if it seems 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.

(d) 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 the Secretary of State.

1 Purchase Notices

(a) 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.

(b) 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 the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town and Country Planning Act 1990.

2 Further correspondence about this application should quote the reference number at the top right hand corner of the form.

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