ADUR DISTRICT COUNCIL

Mr Sam Sykes
ECE Planning Limited
Brooklyn Chambers
11 Goring Road
Worthing
BN12 4AP

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1371/20

Details of Development
REMOVAL OF THE EXISTING WORKSHOP STRUCTURE ASSOCIATED WITH THE DRY DOCK AND REPLACEMENT WITH A NEW BUILDING TO ACCOMMODATE A RECONFIGURED WORKSHOP ON GROUND FLOOR; A NEW CAFE USE ON GROUND AND FIRST FLOORS AND A NEW OFFICE UNIT AT FIRST FLOOR AN OUTDOOR SEATING AREA, LANDSCAPING AND CAR PARKING PROVISION AT THE DRY DOCK, ALBION STREET, SOUTHWICK.

Location of Development
LAND AND WORKSHOP BUILDING NORTH OF DRY DOCK LOCKS APPROACH ALBION STREET 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 1st September 2020.

This is for reasons stated on the schedule overleaf and subject to compliance with the conditions specified thereon.

GPeck

Gary Peck
Planning Services Manager
06/11/2020

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

Ref: AWDM/1371/20

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
BLOCK PLAN	001 REV A	20.10.2020
PROPOSED SITE PLAN	PL-10 REV A	20.10.2020
PROPOSED PLANS & ELEVATIONS	PL-11 REV C	20.10.2020
PROPOSED NORTH & SOUTH SITE ELEVATIONS	PL-20 REV A	20.10.2020
PROPOSED EAST & WEST SITE ELEVATIONS	PL-21 REV A	20.10.2020
LOCATION PLAN	LOC001	01.09.2020
EXISTING SITE PLAN/TOPOGRAPHICAL SURVEY	PL-01	01.09.2020
EXISTING PLANS & ELEVATIONS	PL-02	01.09.2020
PROPOSED REFUSE & CYCLE STORE PLANS & ELEVATIONS	PL-22	01.09.2020
ACOUSTIC ASSESSMENT	ISSUE 2	01.09.2020
AIR QUALITY ASSESSMENT	20-7130	01.09.2020
PRELIMINARY GROUND CONTAMINATION RISK ASSESSMENT	PART 1 OF 3	01.09.2020
PRELIMINARY GROUND CONTAMINATION RISK ASSESSMENT	PART 2 OF 3	01.09.2020
PRELIMINARY GROUND CONTAMINATION RISK ASSESSMENT	PART 3 OF 3	01.09.2020
FRA & DRAINAGE REPORT		01.09.2020
PLANNING & DESIGN & ACCESS STATEMENT		01.09.2020
PRELIMINARY ROOST ASSESSMENT		01.09.2020
SUSTAINABILITY REPORT	VERSION 3.0	01.09.2020
TOPOGRAPHICAL SURVEY P2/2	002	01.09.2020
TRANSPORT STATEMENT	10740/2.3	01.09.2020

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 take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Method Statement and shall be adhered to throughout the construction period. The Statement shall provide for:-

(i) the parking of vehicles of site operatives and visitors;
(ii) loading and unloading of plant and materials;
(iii) storage of plant and materials used in constructing the development;
(iv) the erection and maintenance of security hoarding;
(v) wheel-washing facilities;
(vi) measures to control the emission of dust and dirt during construction; and
(vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

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

04. Prior to commencement of the development hereby approved (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:-

(1) A preliminary risk assessment which has identified:-
- all previous uses;
- potential contaminants associated with those uses;
- a conceptual model of the site indicating sources, pathways and receptors; and
- potentially unacceptable risks arising from contamination at the site.

(2) A site investigation scheme, based on (1) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

(3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

(4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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Any changes to these components require the express consent of the Local Planning Authority.

The scheme shall be implemented as approved above and, prior to commencement of any construction work (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a Verification Report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. 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, and for the reporting of this to the Local Planning Authority.

Reason: *To prevent pollution of groundwater and in the interests of environmental protection and public health and safety, in compliance with the National Planning Policy Framework and policies 34 and 35 of the Adur Local Plan.*

05. No works or development above ground level 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 policies 15 and 30 of the Adur Local Plan.*

06. No development, other than demolition and site clearance, shall commence until full details of the proposed means of foul and surface water sewerage disposal, including details of permeable paving, have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The building shall not be occupied until the agreed foul and surface water disposal details have been implemented and the details so agreed shall be maintained in good working order in perpetuity

Reason: *To ensure adequate drainage and to comply with the National Planning Policy Framework and policy 36 of the Adur Local Plan.*

07. The development hereby permitted shall only be carried out in accordance with the submitted Flood Risk Assessment.

Reason: *To reduce the risk of flooding and in the interests of the safety of the occupants having regard to the National Planning Policy Framework and policy 36 of the Adur Local Plan.*

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08. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: *To provide car-parking space for the use having regard to policy 28 of the Adur Local Plan.*

09. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: *To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.*

10. No part of the development shall be first occupied until the electric vehicle charging spaces have been provided in accordance with the approved plans. The spaces shall be served by a rapid charging point, details of which shall be submitted and approved in writing by the Local Planning Authority prior to installation.

Reason: provide sustainable travel options in accordance with West Sussex 'Guidance on Parking at New Developments'.

11. No development above ground level shall be carried out unless and until a schedule of materials and finishes to be used for the external walls (including windows and doors) and roof of the proposed building has been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved schedule.

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

12. No development above ground level shall take place until there has been submitted to and approved in writing by the Local Planning Authority plans and details of the positions, design, materials and types of boundary treatment to be erected. The boundary treatment shall be completed in accordance with the approved details before the building is occupied. Thereafter the approved boundary treatment shall be retained permanently.

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

13. The building shall not 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 the West Sussex Waste Local Plan.*

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14. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), the premises shall be used only as a workshop, office and cafe within Use Class E (b) and (g) as defined in the Town and Country Planning (Use Classes) Order 1987 or in any equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification.

    Reason: *In the interest of amenity and to enable the Local Planning Authority to have control over future use of the building having regard to policies 15 and 25 of the Adur Local Plan.*

15. No raw materials, finished or unfinished products or parts, crates, packing materials, nor any other items shall be stacked, stored or displayed on the site except within the buildings or within enclosed storage areas approved in writing by the Local Planning Authority.

    Reason: *In the interests of amenity and highway safety having regard to policies 15 and 28 of the Adur Local Plan.*

16. No external lighting or floodlighting shall be installed except 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 policies 15 and 34 of the Adur Local Plan.*

17. No roof plant or other externally-sited plant or machinery (including air conditioning/handling or extraction equipment) other than hereby approved shall be installed unless as agreed in writing with the local planning authority.

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

18. The cafe shall not be open for trade or business except between the hours of 6.00am and 11.00pm on any day, No working, trade or business whatsoever (including arrival, reception or despatch of deliveries) shall take place in connection with the workshop and office uses), except between the hours of 6.00 am and 10.00 pm on any day.

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

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19. The development shall not be occupied unless and until a 'letter of comfort' has been submitted by a licensed assessor confirming that the development is expected to meet the BREEAM Excellent standard once PV panels have been installed. The PV panels shall be installed within 2 years of first occupation. Once installed, a full BREEAM assessment shall be completed by a licensed assessor and confirmation shall be submitted to the local planning authority that the development has achieved the BREEAM Excellent standard.

    Reason: *To ensure that the development is sustainable and makes efficient use of energy, water and materials having regard to the National Planning Policy Framework and policy 18 of the Adur Local Plan and Policy SH1 of the Shoreham Harbour Joint Area Action 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.

02. Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

    To make an application visit: developerservices.southernwater.co.uk and please read their New Connections Services Charging Arrangements documents which are available on their website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

    It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.
    For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).
    Website: southernwater.co.uk by email at:
    SouthernWaterPlanning@southernwater.co.uk

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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 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.

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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).