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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/0252/10**

Michael Cook Associates
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11 Goring Road
Worthing
West Sussex
BN12 4AP

Details of Development
REDEVELOPMENT WITH PETROL FILLING STATION, CANOPY AND SHOP, WITH FUEL STORAGE TANKS WITHIN LANDSCAPED RAISED MOUND (INCLUDING 24 HOUR OPENING FOR A ONE YEAR TRIAL PERIOD)

Location of Development
LANCING MANOR FILLING STATION OLD SHOREHAM ROAD 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 23rd July 2010.

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

James Appleton
Executive Head of Planning, Regeneration and Wellbeing

16/09/2010

SCHEDULE

Reasons for Granting Permission

01. The proposed development is within the built-up area and would not detract from the existing local urban environment or result un unacceptable detriment to highway safety. However, it is considered necessary only to grant a temporary trial period for 24 hour opening because of the need to protect the residential amenities of nearby houses. Subject to this, the development does not conflict with the relevant policies of the Adur District Local Plan (AG1, AB25-27).

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. On or before the expiration of the period of one year from the commencement of use of the new filling station, the premises shall not be open for the selling of fuel or other goods, articles or services except between the hours of 7AM and 11PM and there shall be no external illumination outside these hours.

    Reason: *To safeguard against the risk of unacceptable detriment to residential amenity or highway safety having regard to policies AG1 and AP3 of the Adur District Local Plan.*

03. The premises shall not be occupied nor the use commenced until the enlarged forecourt and new site exit 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 premises concerned.

    Reason: *In the interests of highway safety and to ensure adequate provision for parking clear of the highway.*

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04. The exit 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.*

05. No development shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping which shall include indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of development. All planting, seeding or turfing comprised in the approved details of landscaping 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.

Reason: *In the interests of visual amenity and the environment and to comply with policy AB25-27 of the Adur District Local Plan.*

06. No development, including site works of any description, shall take place on the site unless and until all the existing trees to be retained on the site have been protected by fencing erected around each tree or group of trees at a radius from the bole or boles of 5 metres or such other distance as may be agreed in writing by the Local Planning Authority. Within the areas so fenced off the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon or bonfires take place without he prior written approval of the Local Planning Authority. If any excavations are required in the fenced off areas they shall be undertaken and backfilled only by hand and any tree roots encountered with a diameter of 25 mm or more shall be left unsevered.

Reason: *To protect the trees from damage and to comply with policy AB25 of the Adur District Local Plan.*

07. No development shall be carried out unless and until a schedule of materials and finishes to be used for the external materials and details of buildings and structures 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 AG1 of the Adur District Local Plan.*

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08. No external lighting shall be installed except in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

Reason: *In the interests of amenity and to comply with policy AP9 of the Adur District Local Plan.*

09. The development hereby permitted shall not be commenced until details of the proposed drainage and means of disposal (including oil and petrol separators) have been submitted to and approved by the Local Planning Authority and the premises 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 PPS23.*

10. 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;
- 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.

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

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The scheme shall be implemented as approved above and, prior to commencement of any construction work (or such other date or stage in developments 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 PPS23.*

11. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: *To ensure that any contamination identified during development is fully characterised and assessed, having regard to PPS23.*

12. Piling of foundations shall only be undertaken in accordance with details which have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of piling work.

Reason: *To safeguard against risk to controlled waters.*

13. The development hereby permitted shall not be commenced until such time as a scheme to propose additional pollution prevention measures relating to the fuel storage tanks has been submitted to and approved in writing by the Local Planning Authority. The following details should be included as minimum:-

- Details of the tank construction and pollution prevention measures

- Tank Monitoring arrangements, including alarm systems

- Wetstock monitoring System

- Pipework and feedlines, including monitoring and leak detection arrangements

- Groundwater monitoring wells (locations and monitoring plan)

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- Vapour recovery systems (delivery systems and dispensers)

- Spill prevention measures

- Overfill prevention measures

The scheme shall be fully implemented and subsequently maintained in accordance with the timing/phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed in writing, by the Local Planning Authority.

Reason: *To ensure that the method of fuel storage and pollution prevention measures are suitable to reduce the risk of pollution of groundwater from any losses of product, having regard to PPS23.*

14. The development hereby permitted shall be carried out in accordance with the following approved plans:-
Drawing No's 3926/5A (Proposed site plan and Location plan); 3926/6 (Proposed elevations); and 5317/SK12A (Site section) all date stamped received 23 July 2010.

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