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/1064/18

Details of Development
APPLICATION FOR MINOR MATERIAL AMENDMENTS TO PERMISSION REFERENCE AWDM/0098/18 INCLUDING REVISION TO ELEVATIONS, ROOF TREATMENT AND FENESTRATION, AMENDMENTS TO BIN AND BIKE STORE AND VIEWING DECK, REMOVAL OF RAMPED ACCESS AND GATE TO CANAL AND THE ADDITION OF AIR SOURCE HEAT PUMPS, WALL ON SOUTHERN BOUNDARY AND ELECTRICITY SUBSTATION.

Location of Development
LAND SOUTH OF UNITS 1 TO 7 LADY BEE INDUSTRIAL PARK 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 17th July 2018.

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
05/12/2018

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	Drg No 002 Rev P6	08.11.2018
SITE PLAN ROOF PLAN	Drg No 004 Rev P8	08.11.2018
ELEVATIONS	Drg No 007 Rev P9	08.11.2018
SECTIONS	Drg No 010 Rev P7	08.11.2018
EAST ELVS BLOCKS 1 & 2	Drg No 009 Rev P6	03.12.2018
BIN & CYCLE STORE ELEVATIONS	Drg No 011 Rev P3	05.11.2018
GF PLAN TYPE A GLASS SCREEN	Drg No 005 Rev P4	05.11.2018
FIRST FLOOR PLAN	Drg No 006 Rev P3	05.11.2018
ELVATIONS TYPE A GLASS SCREEN	Drg No 008 Rev P8	05.11.2018
ELEVATIONS TYPE A GLASS SCREEN	Drg No 009 Rev P5	05.11.2018
LOCATION PLAN	Drg No 001 Rev P2	05.11.2018
SITE SURVEY	Drg No 003 Rev P1	05.11.2018
EXISTING SITE SECTIONS	Drg No 003A Rev P2	05.11.2018
GF PLAN ROLLER SHUTTERS TYPE B	Drg No 013 Rev P3	09.08.2018
SECTIONS SHUTTERS TYPE B	Drg No 016 Rev P3	09.08.2018

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. The development shall take place in accordance with the Construction Management Plan approved under application reference AWDM/0098/18. The Plan shall be implemented and adhered to throughout the entire construction period.

Reason: *In the interests of highway safety and the amenities of the area having regard to policies 15, 28 and 34 of the Adur Local Plan.*

04. The development shall take place in accordance with the contaminated land reports and investigation scheme approved under application reference AWDM/0098/18.

The scheme shall be implemented as approved and, upon completion of the groundworks, a written statement shall be submitted to the Council confirming that either no further contamination was identified during the groundworks or, in the event that contamination is discovered, a further report shall be submitted from a suitably qualified, independent consultant detailing the actions taken.

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. The development shall take place in accordance with the details of the hard and soft landscaping works approved under application reference AWDM/0098/18 with all planting taking place no later than during the first planting season following first occupation of the buildings or the completion of the development, whichever is the sooner. 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, 30 and 31 of the Adur Local Plan.*

06. The development shall take place in accordance with the details of the proposed means of foul and surface water sewerage disposal approved under application reference AWDM/0098/18.

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 permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (January 2018) approved under application reference AWDM/0098/18 and the following mitigation measures detailed within the FRA:

- Finished floor levels are set no lower than 5.00 metres above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently 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 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.*

08. The secure, covered cycle parking for employees and the visitor cycle parking spaces shown on the plans shall be provided prior to commencement of use of the buildings hereby approved and shall thereafter be retained permanently solely for such purposes.

Reason: *To encourage and provide for a sustainable non-car mode of transport in compliance with the National Planning Policy Framework and having regard to policies 15 and 28 of the Adur Local Plan.*

09. No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plans. These spaces shall thereafter be retained for their designated use.

Reason: *To provide adequate on-site car parking and turning space for the development having regard to policies 15 and 28 of the Adur Local Plan.*

10. Electric vehicle charging points shall be provided prior to first use of the buildings in accordance with the details approved under application reference AWDM/0098/18 and shall be retained thereafter.

Reason: *To reduce emissions associated with the development in the interest of sustainability and having regard to policy 34 of the Adur Local Plan.*

11. The development shall be completed in accordance with the schedule of external materials and finishes approved under application reference AWDM/0098/18.

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

12. No building on the site shall be occupied until the associated communal facilities for storing refuse and waste, including for waste that can be recycled, have been provided in accordance with the approved plans. Such facilities as provided shall thereafter be retained and used only for the storage of refuse and re-cycling waste.

Reason: *To ensure satisfactory facilities for the storage and disposal of refuse in the interests of hygiene and visual amenity and to minimise landfill having regard to the National Planning Policy Framework.*

13. 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 for purposes within Use Classes B1 and B8 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 ensure the buildings are protected for business use having regard to policy 25 of Adur District Local Plan.*

14. 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.*

15. No external working shall take place anywhere on the site and all working shall be confined to within the buildings.

    Reason: *In the interests of amenity and to retain adequate off-street parking space and to ccomply with policies 15 and 28 of the Adur Local Plan.*

16. No external lighting or floodlighting shall be installed except in accordance with the details approved under application reference AWDM/0098/18.

    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 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 policy 15 of the Adur Local Plan.*

18. No working, trade or business whatsoever (including arrival, reception or despatch of deliveries) shall take place on the premises 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.*

19. The development shall not be occupied unless and until a full BREEAM assessment has been completed by a licensed assessor and confirmation has

been submitted to the local planning authority that the development has achieved the BREEAM Very Good 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.*

Informatives / Notes to Applicant

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. A formal application for connection to the public sewerage system is required in order to service this development. The applicant is advised to contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel 0330 303 0119) or www.southernwater.co.uk

03. Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

    The applicant is advised to discuss the matter further with Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.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 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).