ADUR DISTRICT COUNCIL

Mr Chris Barker
ECE Planning Limited
Brooklyn Chambers
11 Goring Road
Worthing
West Sussex
BN12 4AP

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1202/21

Details of Development
DEMOLITION OF EXISTING GARAGES AND CONSTRUCTION OF A 2 STOREY COMMERCIAL BUILDING (USE CLASS E(G)) COMPRISING 6NO. UNITS WITH ASSOCIATED CAR PARKING, VISITOR PARKING , CYCLE SPACES AND LANDSCAPING AND BIN STORE. RETENTION OF EXISTING FLAT BLOCK TO THE SOUTH AND PROVISION OF ADDITIONAL CAR PARKING SPACES FOR EXISTING FLATS AS PREVIOUSLY APPROVED UNDER AWDM/0300/20

Location of Development
GARAGE BLOCK NORTH OF ST PETERS PLACE WESTERN ROAD SOMPTING 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 June 2021.

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
10/09/2021

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
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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
OVERSPILL CAR PARKING LAYOUT	6849 - SK 03	24.08.2021
PROPOSED EAST & WEST ELEVATIONS	PL-12 REV P2	06.09.2021
PROPOSED NORTH & SOUTH ELEVATIONS	PL-13 REV P2	06.09.2021
PROPOSED SECTIONS	PL-14 REV P2	06.09.2021
DESIGN & ACCESS STATEMENT		23.06.2021
PROPOSED SITE PLAN	PL-01 REV P1	23.06.2021
LOCATION PLAN	PL-02	23.06.2021
BLOCK PLAN	PL-03 REV P1	23.06.2021
EXISTING SITE PLAN	PL-04	23.06.2021
EXISTING ELEVATIONS	PL-05	23.06.2021
PROPOSED GROUND FLOOR PLAN	PL-10 REV P1	23.06.2021
PROPOSED FIRST FLOOR PLAN	PL-11 REV P1	23.06.2021
REFUSE STORAGE	PL-15 REV P1	23.06.2021
PRELIMINARY INVESTIGATION REPORT	PART 1 OF 3	23.06.2021
PRELIMINARY INVESTIGATION REPORT	PART 2 OF 3	23.06.2021
PRELIMINARY INVESTIGATION REPORT	PART 3 OF 3	23.06.2021
SuDS ASSESSMENT & DRAINAGE STRATEGY		23.06.2021
PLANNING STATEMENT	ISSUE 210621	23.06.2021
TRANSPORT REPORT		23.06.2021

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

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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. Construction work shall not commence unless and until an impact assessment of the noise from the development on nearby residential properties has been completed and submitted to the local planning authority. The impact assessment shall include noise from deliveries, external plant and operation of the development and shall include a noise mitigation scheme. The assessment shall have regard to the principles of BS 4142:2014+A1:2019 and ensure there is no detrimental impact to the nearest residential dwellings. A test to demonstrate compliance with the noise mitigation scheme shall then be undertaken within one month of the scheme being implemented. All plant shall be maintained in accordance with manufacturer's guidance and any future plant shall also meet the specified levels within the approved scheme.

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

04. The use hereby permitted shall not be carried out unless and until a Noise Management Plan identifying the main sources of noise and methods of controlling them has been submitted to and approved in writing by the Local Planning Authority. Thereafter the Noise Management Plan shall be adhered to at all times the light industrial site is open for business.

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

05. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times. Monday - Friday 08:00 - 18:00 Hours; Saturday 09:00 - 13:00 Hours; Sundays and Bank Holidays no work permitted.

Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

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

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06. 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 Local 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 construction - HGV construction traffic routings shall be designed to minimise journey distance through the AQMA's. -the method of access and routing of vehicles during construction, -the parking of vehicles by site operatives and visitors, -the loading and unloading of plant, materials and waste, -the storage of plant and materials used in construction of the development, -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 construction upon the public highway (including the provision of temporary Traffic Regulation Orders), -details of public engagement both prior to and during construction works. -methods to control dust from the site.

Reason: *In the interests of residential amenity and highway safety and to comply with policies 15, 28 and 34 of the Adur Local Plan.*

07. 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. 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 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.*

08. No development above slab level shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft and hard landscaping, and 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. The approved details of hard landscaping shall be completed prior to occupation of the building(s).

Reason: *In the interests of visual amenity and the environment and to comply with policies 15 and 30 of the Adur Local Plan.*

09. Development shall not commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter infiltration testing to BRE DG365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details 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.*

10. Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

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

11. Immediately following implementation of the approved surface water drainage system and prior to occupation of any part of the development, the developer/applicant shall provide the local planning authority with as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved drawing/s and is fit for purpose. The scheme shall thereafter be maintained in perpetuity.

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

12. No development above slab level shall take place until a schedule and samples of all 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 details.

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

13. No part of the development shall be first occupied until the car parking for both St Peter's Place and the proposed development has been constructed in accordance with the approved site plan. At least 6 spaces serving the new development shall be provided with an active charging point for electric vehicles with the remaining spaces provided with ducting to enable future connection. These spaces shall thereafter be retained at all times for their designated purpose. Notwithstanding the details shown on the Overspill Car Parking Layout drg. no. 6849 SK03 received 24 August 2021, no overspill parking shall take place within the access to the development.

    Reason: *In the interests of amenity and highway safety and having regard to the National Planning Policy Framework, West Sussex 'Guidance on Parking at New Developments' and 'Parking Demand Calculator' (WSCC 2019) and policy 28 of the Adur Local Plan.*

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14. 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.*

15. No development above slab level shall commence until a Sustainability Strategy, demonstrating a commitment to maximising the efficiency of the use of energy, water and materials within the development, has been submitted to and approved in writing by the LPA. The development shall be constructed in accordance with the approved Strategy.

    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 policies 1, 15, 18, 20, 31 of the Adur Local Plan.*

16. 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 E(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 ensure the buildings are protected for business use having regard to policy 25 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. 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 the approved details.

    Reason: *In the interests of amenity and to comply with the West Sussex Waste Local Plan.*

19. 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.*

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20. No working, trade or business whatsoever, including arrival, reception or despatch of deliveries, shall take place on the premises except between the hours of 07.00 and 18.00 Monday to Saturday, with no working on Sundays or Bank Holidays.

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

21. Notwithstanding the detail shown on drawing PL-13 Rev P2 the first floor corner window in the south side elevation of the building hereby permitted shall at all times be glazed with obscured glass.

    Reason: *To prevent overlooking and to comply with policy 15 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/1202/21

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

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).