ADUR DISTRICT COUNCIL

Mr Sam Sykes
ECE Planning Limited
64-68 Brighton Road
Worthing
BN112EN
United Kingdom

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0945/22

Details of Development
PROPOSED 11NO. COMMERCIAL UNITS (USE CLASS E AND B8) IN A SINGLE TWO-STOREY BUILDING WITH EXTERNAL STAIRWELLS AND INFILLING OF PART OF THE CANAL TO PROVIDE VEHICLE ACCESS AND TURNING, WITH ASSOCIATED CYCLE STORAGE AND LANDSCAPING. APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) OF PREVIOUSLY APPROVED AWDM/1000/21 TO AMEND DESIGN AND METHOD OF CONSTRUCTION OF PROPOSED BUILDING, INCLUDING REDUCTION IN HEIGHT AND FOOTPRINT, NEW PEDESTRIAN ESCAPE ROUTE TO NORTH, REMOVAL OF GREEN ROOF, PROVISION OF AIR SOURCE HEAT PUMPS AND TO APPROVE DETAILS RESERVED BY CONDITIONS ON THE PREVIOUS PERMISSION

Location of Development
FORMER NAUTICAL TRAINING CORPS RIVERSIDE 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 31st May 2022.

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
20/09/2022

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
PROPOSED ELEVATIONS 0.2 & PLAN	21089-C-103	14.07.2022
AURIGA - EXTERNAL ANGLED FLOOD LIGHT		02.09.2022
INTEGRAL - HOODED ADAPTOR	ILBHAA055	02.09.2022
INTEGRAL - CEILING WALL FITTING	ILBHA049	02.09.2022
SITE LAYOUT DRAINAGE ARRANGEMENT	DR_01 Rev P7	07.09.2022
MANAGEMENT & MAINTENANCE STRATEGY August 2022	MC0124 M&M Plan	07.09.2022
SHOREHAM NETWORK SURCHARGE OUTFALL	MC0124	07.09.2022
VERIFICATIONS OF INSURANCES	09.02.2022	23.08.2022
RISK ASSESSMENT & METHOD STATEMENT FOR PILING WORKS	Rev 08.08.2022	23.08.2022
HEALTH & SAFETY POLICY	May 2020	23.08.2022
HYDRAULIC DRILL TECHNICAL MANUAL	KR 709-2	23.08.2022
RIG LOADINGS	KR 709-2	23.08.2022
PHASE II GEOTECHNICAL AND GEO-ENVIRONMENTAL REPORT	LS 5540A v1.0	23.08.2022
SUPPORTING COVER LETTER	P1807ii	31.05.2022
NOISE ASSESSMENT Issue 1	J3417 18/05/2022	31.05.2022
SUSTAINABILITY STATEMENT	Rev 01	31.05.2022
EXTERNAL MATERIAL SCHEDULE	Rev 05	31.05.2022
PHASE II GROUND INVESTIGATION	LS5540A	31.05.2022

Reference/Drawing Number	Version	Date Rec
PHASE I INVESTIGATION Part 1 & 2	LS5540	31.05.2022
EXISTING LOCATION & BLOCK PLAN	21089-P-001	31.05.2022
PROPOSED LOCATION & BLOCK PLAN	21089-P-002	31.05.2022
PROPOSED ROOF PLAN	21089-P-003-B	31.05.2022
PROPOSED GROUND FLOOR PLAN	21089-C-100	31.05.2022
PROPOSED FIRST FLOOR PLAN	21089-C-101	31.05.2022
PROPOSED ELEVATIONS 0.1	21089-C-102	31.05.2022
WALL/PILE LAYOUT & DETAIL SECTIONS 1-2	01 T1	05.07.2022
DETAIL SECTIONS 3-4 & PILE DETAILS	02 T1	05.07.2022
DETAIL SECTIONS 5 & GA CALL UP A-A & STAIR DETAIL	03 T1	05.07.2022
CONSTRUCTION PHASE HEALTH & SAFTEY PLAN		05.07.2022
CONSTRUCTION ENVIRONMENTAL MNAGEMENT PLAN		05.07.2022
SITE MANAGEMENT & ORGANISATION METHOD STATEMENT		05.07.2022
MERIDIAN CONSULTANCY	Discharge of conditions	05.07.2022
EMAIL RE DRAINAGE REPORT & TOPO		05.07.2022

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 Construction Environmental Management Plan revision No. 0 dated 31st May 2022 shall be implemented and adhered to throughout the entire construction period.

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

04. 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 amenity having regard to Policy 34 of the Adur Local Plan.*

05. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with approved drawing no. 21089-C-103 received 14 July 2022

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

06. The building shall not 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.*

07. 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 approved maintenance manual received 7th September 2022.

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

08. The development shall be carried out in accordance with the approved Flood Risk Assessment (ref 92570 Revision 2) submitted with application AWDM/1000/21 and the following mitigation measures it details:

Finished floor levels shall be set no lower than 5.2 metres above Ordnance Datum (AOD).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements.

The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: *To reduce the risk of flooding to the proposed development and future occupants having regard to the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change and policy 36 of the Adur Local Plan.*

09. Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of 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.

Reason: *To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete having regard to policies 34 and 35 of the Adur Local Plan.*

10. 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 a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority.

The remediation strategy shall be implemented as approved.

Reason: *To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by,*
unacceptable levels of water pollution from previously unidentified contamination sources at the development site having regard to policies 34 and 35 of the Adur Local Plan.

11. All external fixed plant shall comply with the details in the Acoustic Associates Sussex Ltd report Project J3417 Issue 1 dated 18 May 2022

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

12. Piling and using penetrative methods shall not be carried out other than in accordance with the approved details received 5 July 2022.

Reason: *To avoid risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways having regard to policy 35 of the Adur Local Plan.*

13. All approved hard and soft landscaping works shall be completed prior to first use of the building.

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

14. The building hereby permitted shall not be occupied until space has been laid out within the site in accordance with the details shown on the approved plan for the turning of vehicles/deliveries and such space shall not thereafter be used other than as a turning/delivery area.

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

15. The development shall be completed using the external materials and finishes as set out in the approved materials schedule received 31 May 2022.

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

16. 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 approved drawing no. 21089-C-103 received 14 July 2022

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

17. 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.*

18. 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 comply with policies 15 and 28 of the Adur Local Plan.*

19. No external lighting or floodlighting shall be installed except in accordance with the details received 2 September 2022

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

20. 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.*

21. No working, trade or business whatsoever shall take place on the premises except between the hours of:-

    07.00 and 21.00 on any day with no arrival, reception or despatch of deliveries other than between the hours of 07.00 and 20.00 Monday to Saturday and 09.00 to 18.00 on Sundays.

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

22. 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) 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.*

23. 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), no units shall be merged to create a new unit larger than the largest current unit, measuring 49sqm

    Reason: *To prevent larger units from being formed which could result in larger vehicles to the detriment of the amenities of the locality having regard to policies 28 and 34 of the Adur Local Plan.*

24. The development shall be constructed in full accordance with the approved Sustainability Statement received 31 May 2022

    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.*

25. The development shall be carried out in strict accordance with the approved levels details.

    Reason: *In the interests of amenity and the environment having regard to 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 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. You are advised to submit a S61 consent under the Control of Pollution Act 1974 for the piling phase of construction and for any noisy work. The acoustic report dated 13th May 2021 that was undertaken for the original application, showed ambient noise levels in the locality to be under 65dB(A). Therefore construction noise should not be exceeding 65dB(A) over the day if following the ABC method contained in Annex E of BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites.

Ref: AWDM/0945/22

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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).