ADUR DISTRICT COUNCIL

Mr Chris Locke
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CHICHESTER
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# PLANNING PERMISSION

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

## APPLICATION NUMBER: AWDM/0748/24

Details of Development
**CONSTRUCTION OF FLOOD DEFENCE WALL, AND FLOOD GATE ACROSS FORMER TARMOUNT HARD, PROVISION OF PEDESTRIAN AND CYCLE PATH AND PUBLIC REALM IMPROVEMENTS FOLLOWING DEMOLITION OF YACHT CLUB (SUBJECT OF SEPARATE APPLICATION). APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) OF PREVIOUSLY APPROVED AWDM/1695/18. AMENDMENT: 12M WIDE DOUBLE SWING GATE REPLACED WITH SINGLE 12M SLIDING GATE, ADDITION OF 3M WIDE SLIDING PEDESTRIAN GATE EAST OF THE SLIDING GATE, FLINT PANELLING HAS BEEN REVISED TO ACCOMMODATE NEW 3M GATE. NEW PEDESTRIAN GATE AT THE WEST END AND GATE FOR TARMOUNT HARD IS REDUCED IN WIDTH TO 1.22M. INCREASE IN WALL HEIGHT FROM 2M TO 2.2M AND INCLUSION OF RAILINGS ABOVE THE 12M GATE, INCREASED THICKNESS OF THE WALL FROM 400MM TO 500MM. THE VERGE TO THE NORTH OF THE PROPOSED WALL HAS BEEN INCREASED TO 3M IN WIDTH.**

Location of Development
**SUSSEX YACHT CLUB 85 - 89 BRIGHTON ROAD SHOREHAM-BY-SEA WEST SUSSEX BN43 6RF**

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 13th June 2024.

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
04/09/2024

## 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 |
|---|---|---|
| HIGHWAY WORKS GENERAL ARRANGEMENT | DR-C-1050 P05 | 08.08.2024 |
| HIGHWAY WORKS DEVELOPMENT PROPOSAL SHEET 1 | DR-C-1051 P05 | 08.08.2024 |
| HIGHWAY WORKS DEVELOPMENT PROPOSAL SHEET 2 | DR-C-1052 P05 | 08.08.2024 |
| HIGHWAY WORKS DEVELOPMENT PROPOSAL SHEET 3 | DR-C-1053 P05 | 08.08.2024 |
| HIGHWAY WORKS DEVELOPMENT PROPOSAL SHEET 4 | DR-C-1054 P05 | 08.08.2024 |
| HIGHWAY WORKS ROAD JUNCTION VISIBILITY SPLAYS | DR-C-1055 P05 | 08.08.2024 |
| S38 & S278 AGREEMENT SITE PLAN | DR-C-1056 P05 | 08.08.2024 |
| S38 & S278 AGREEMENT LAYOUT SHEET 1 OF 4 | DR-C-1057 P05 | 08.08.2024 |
| S38 & S278 AGREEMENT LAYOUT SHEET 2 OF 4 | DR-C-1058 P05 | 08.08.2024 |
| S38 & S278 AGREEMENT LAYOUT SHEET 3 OF 4 | DR-C-1059 P05 | 08.08.2024 |
| S38 & S278 AGREEMENT LAYOUT SHEET 4 OF 4 | DR-C-1060 P05 | 08.08.2024 |
| HIGHWAY WORKS ROAD MARKING DETAILS | DR-C-1061 P05 | 08.08.2024 |
| STANDARD CONSTRUCTION DETAILS PROPOSED ROADS | DR-C-1062 P06 | 08.08.2024 |
| STANDARD CONSTRUCTION DETAILS PROPOSED DRAINAGE | DR-C-1063 P06 | 08.08.2024 |
| HIGHWAY WORKS VEHICLE TRACKING SHEET 1 | DR-C-1064 P04 | 08.08.2024 |
| HIGHWAY WORKS VEHICLE TRACKING SHEET 2 | DR-C-1065 P04 | 08.08.2024 |
| SITE LOCATION PLAN - PROPOSED WORKS GA | DR-S-1001 P6 | 08.08.2024 |
| SITE CONSTRAINTS PLAN | DR-S-1002 P5 | 08.08.2024 |
| INDICATIVE EXISTING SERVICES GA | DR-S-1003 P3 | 08.08.2024 |
| SITE CLEARANCE PLAN | DR-S-1004 P3 | 08.08.2024 |
| SITE INVESTIGATION FINDINGS | DR-S-1005 P4 | 08.08.2024 |

| Reference/Drawing Number | Version | Date Rec |
|---|---|---|
| PROPOSED FLOOD WALL PILE LAYOUT | DR-S-1006 P5 | 08.08.2024 |
| ANTICIPATED TYPICAL, CONSTRUCTION SEQUENCE | DR-S-1007 P2 | 08.08.2024 |
| FLOOD WALL GENERAL ARRANGEMENT SHEET 1 OF 2 | DR-S-1010 P6 | 08.08.2024 |
| FLOOD WALL GENERAL ARRANGEMENT SHEET 2 OF 2 | DR-S-1011 P6 | 08.08.2024 |
| PROPOSED SECTIONS & SERVICE PENETRATION DETAILS | DR-S-1012 P7 | 08.08.2024 |
| PROPOSED SECTIONS | DR-S-1013 P5 | 08.08.2024 |
| TYPICAL FLOOD WALL DETAILS INCLUDING MASONRY DETAILS | DR-S-1014 P3 | 08.08.2024 |
| PROPOSED ELEVATION NORTHERN FACE | DR-S-1020 P8 | 08.08.2024 |
| PROPOSED ELEVATION SOUTHERN FACE | DR-S-1021 P4 | 08.08.2024 |
| RAILING DETAILS | DR-S-1022 P5 | 08.08.2024 |
| CAR PARK SURFACING PLAN | DR-S-1025 P3 | 08.08.2024 |
| PROPOSED PARTY WALLS PLANS & SECTIONS | DR-S-1026 P6 | 08.08.2024 |
| GATE G01 GA PLAN, SECTIONS & DETAILS | DR-S-1031 P5 | 08.08.2024 |
| GATES 02 & 03 PLANS, SECTIONS & DETAILS | DR-S-1032 P3 | 08.08.2024 |
| GROUNDWATER ALLEVIATION PLAN SHEET 1 OF 2 | DR-S-1040 P5 | 08.08.2024 |
| GROUNDWATER ALLEVIATION PLAN SHEET 2 OF 2 | DR-S-1041 P6 | 08.08.2024 |
| GROUNDWATER ALLEVIATION SECTIONS | DR-S-1044 P6 | 08.08.2024 |
| DRAINAGE PUMP CHAMBER PLAN | DR-S-1046 P03 | 08.08.2024 |
| DRAINAGE PUMP CHAMBER SECTIONS | DR-S-1047 P03 | 08.08.2024 |
| TARMOUNT HARD PROPOSALS GENERAL ARRANGEMENT | DR-S-1070 P3 | 08.08.2024 |
| FLOOD WALL GENERAL ARRANGEMENT 2 OF 2 | DR-S-1011 P5 | 13.06.2024 |
| PROPOSED ELEVATION NORTHERN FACE | DR-S-1020 P7 | 13.06.2024 |
| PROPOSED PARTY WALLS PLANS & SECTIONS | DR-S-1026 P5 | 13.06.2024 |
| PROPOSED SECTIONS & SERVICE PENETRATION DETAILS | DR-S-1012 P6 | 13.06.2024 |

| Reference/Drawing Number | Version | Date Rec |
|---|---|---|
| RAILING DETAILS | DR-S-1022 P4 | 13.06.2024 |
| DRAINAGE PUMP CHAMBER SECTIONS | DR-S-1047 P3 | 23.07.2024 |
| FLOOD WALL GENERAL ARRANGEMENT 1 OF 2 | DR-S-1010 P6 | 23.07.2024 |

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

02. Prior to the construction of any part of the flood defence installations (other than percolation tests and enabling substructure installations (excluding drainage) for the flood defence wall) a schedule and samples of materials and finishes to be used for the wall shall be submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved schedule. Prior to the commencement of the flint panels a sample of flintwork indicating the colour, texture and pointing style of the mortar, shall be constructed on the site and inspected and approved in writing by the Local Planning Authority. Thereafter, the wall shall be constructed in accordance with the agreed sample panel which shall be retained on site until the development has been completed

**Reason**: *To safeguard the character and appearance of the Conservation Area and to comply with policies 15 and 17 of the Adur Local Plan.*

03. Vehicular access serving the yacht club shall be constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. Visibility splays of 2.4 metres by 43 metres shall be provided at the vehicular access onto Brighton Road in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

**Reason**: *In the interests of road safety having regard to policy 28 of the Adur Local Plan.*

04. The existing vehicular access serving the yacht club onto Brighton Road shall be physically closed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

**Reason**: *In the interests of road safety having regard to policy 28 of the Adur Local Plan.*

05. Prior to the construction of any part of the flood defence installations (other than percolation tests and enabling substructure installations (excluding drainage) for the flood defence wall) a Construction Management Plan shall be 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,
- 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,
- 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.

**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.*

06. The existing public rights of way to Stows Gap Hard shall remain undisturbed unless and until legally stopped up or diverted prior to construction of the flood defence wall hereby permitted. The alignment of the public right of way shall be protected by being clearly demarcated, signed and fenced, as may be approved by the Local Planning Authority, throughout the course of the development.

**Reason**: *To safeguard the rights of the public.*

07. Prior to the construction of any part of the flood defence installations (other than percolation tests and enabling substructure installations (excluding drainage) for the flood defence wall) details of the future ownership, maintenance, operation and management of the floodgates shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**Reason**: *To ensure the operation and maintenance of the flood gates is properly managed having regard to policy 36 of the Adur Local Plan.*

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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).