County Planning
County Hall
Chichester
West Sussex PO19 1RH

Tel: 01243 642118

Application No: WSCC/049/16/SU
COUNTY MATTER

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

To Day Group Ltd
c/o Firstplan Ltd
Bramah House
65 - 71 Bermondsey Street
London
SE1 3XF

In pursuance of their powers under the above mentioned Act and Orders, West Sussex County Council hereby notify you that they **PERMIT** the following development, that is to say:-

Variation of condition 2 of WSCC/073/14/SU to allow the use of the site in connection with the adjacent aggregate bagging operation until 15 October 2018 at Kingston Railway Wharf, Brighton Road, Shoreham by Sea, West Sussex, BN43 6RN

to be carried out in accordance with your application and plans (as modified by the under-mentioned conditions if any) submitted to this Council on 9 August 2016(and in accordance with the relevant correspondence a copy of which is attached *) and subject to the conditions specified hereunder:-

Approved Plans and Documents

1. The development hereby permitted shall not take place other than in accordance with the following plans and particulars (except as varied by the conditions hereafter):
   - Site Location Plan (Firstplan, dated 30/09/2014);
   - Site layout Plan (drawing no. 2569/09 Rev. B);
   - Block Plan (drawing no. 2569/08 Rev. C);
   - Elevations (drawing no. 2569/10 Rev. A);
   - Noise Management Scheme (ref. 0914 dated September 2014);
   - Dust Management Scheme (dated December 2014);
   - Design and Access Statement dated Sept 2014; and
   - Transport Statement (CEP, dated December 2014).

   Reason: To secure a satisfactory development.

Signed

Date ..... **29 Sept 2016** ..... Strategic Planning Manager ..... **Michael Elkington** .....

***N.B.** The reasons for imposing the above conditions are as specified after the conditions.
The words in brackets do not apply unless a copy of the relevant correspondence is attached.
Your copy of the application, determined as above, is returned herewith for your records.

IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES AT APPENDIX A OF THIS FORM

Continuation Sheet

Duration of Permission

2. The use hereby permitted shall cease and all operations associated with the approved plans and documents shall cease, and all associated buildings shall be removed from the site and the land restored to its former condition, or a condition to be agreed by the County Planning Authority, by 15 October 2018.

Reason: To ensure the development does not prejudice the objectives of the emerging Shoreham Harbour regeneration plans.

OPERATIONAL CONDITIONS

Availability of Approved Documents

3. A copy of the decision notice with the approved plans and any subsequently approved documents shall be kept at the site office at all times and the terms and contents of them shall be made known to the supervising staff on site. These documents shall be made available to the County Planning Authority upon request.

Reason: To ensure that the site operatives are conversant with the terms of the planning permission.

Hours of Operation

4. All activities associated with the development hereby permitted, with the exception of those specifically permitted by Condition 6, shall take place only between the hours of:
07.00 and 18.00 on Mondays to Fridays inclusive;
07.00 and 13.00 on Saturdays; and
not at any time on Sundays, Bank or Public Holidays, unless otherwise agreed in advance and in writing by the County Planning Authority.

Reason: In the interests of residential amenity.

HGV Movements out of site 6am-7am

5. A maximum of 3 HGVs may leave the site (which, for the purposes of this condition applies to the land outlined in red and the land outlined in blue on the Site Location Plan), between 6am and 7am, Mondays to Saturdays inclusive, and not at all on Sundays, Bank or Public Holidays. There shall be no return to the site before 7am. No other activities may take place on site except in accordance with condition 4 of this permission.

Reason: In the interests of residential amenity.

Signed
Date ..... **29 Sept 2016** ..... Strategic Planning Manager ..... **Michael Elkington** .....

Maximum Noise Levels

6. Other than where in accordance with the approved Noise Management Scheme 280510 (dated June 2010), the corrected noise level* for operational noise from the site shall not exceed 55dB(A) (free field as a L(A) eq over a time period of 60 minutes) during the hours of operation; and noise levels shall be determined at the nearest residential premises.

*A 5 dB correction shall be added if one or more of the following features occur:

- the noise contains a distinguishable, discrete, continuous note (whine, hiss, screech, hum, etc.);
- the noise contains distinct impulses (bangs, clicks, clatters, or thumps);
- the noise is irregular enough to attract attention.

Reason: In the interests of residential amenity.

Lighting

7. All external lighting shall be kept to the minimum luminance level required to achieve safe working operations and only operated during the hours of operation approved in this consent. Light sources shall be of a design to ensure no light spillage or direct view of the lighting elements arises beyond the boundaries of the site, and no light pollution upward to the sky occurs.

Reason: In the interests of local amenity and the avoidance of light pollution.

Heavy Goods Vehicle Movements

8. HGV movements to and from the site (comprising the area outlined in red and that outlined in blue on the approved Site Location Plan (Firstplan, dated 30/09/2014)), shall not exceed 106 (53 entering and 53 leaving the site) Monday ¿ Friday, and 60 (30 entering and 30 leaving the site) on Saturdays. There shall be no HGV movements to or from the site on Sundays, public holidays or bank holidays. A record of HGV movements shall be kept on site and made available for the inspection of the County Planning Authority upon request.

Reason: In the interest of highway safety and capacity.

Permitted Development Rights

9. Notwithstanding the provisions of part 17 of the Town and Country Planning (General Permitted Development) (England) Order 2015, the site, including any mobile bagging plant thereon, shall only be operated in accordance with the conditions outlined in this permission.

Reason: In the interests of local amenity.

Signed

Date ..... **29 Sept 2016** ..... Strategic Planning Manager ..... **Michael Elkington** .....

Continuation Sheet

10. The lorry and car parking areas, as shown on Site Layout Plan 2569/09 Rev B shall be kept clear of any storage of plant or materials, and shall be retained for their intended purpose for the duration of the permission.

Reason: In the interests of highway safety.

11. Wheel cleaning facilities, in the position shown on Site layout Plan (drawing no. 2569/09 Rev. B), shall be retained and maintained in working order for the lifetime of the development.

Reason: In the interests of highway safety and amenity.

INFORMATIVES

A. 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.

This information is only intended as a summary of the reasons for the grant of planning permission. For further details on the decision please see the report by contacting County Planning, West Sussex County Council or visiting the website at http://www.westsussex.gov.uk/ePlanning

Signed
Date ..... **29 Sept 2016** ..... Strategic Planning Manager ..... **Michael Elkington** .....

Appendix A

YOUR ATTENTION IS DIRECTED TO THE FOLLOWING NOTES.

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.

TOWN AND COUNTRY PLANNING ACT 1990

1 Appeals to the Secretary of State

(a) 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.

(b) If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get online at www.planning-inspectorate.gov.uk or by writing to the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

(c) The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

(d) The Secretary of State need not consider an appeal if it seems 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.

(e) 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 the Secretary of State.

2 Purchase Notices

(a) 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.

(b) 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 the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town and Country Planning Act 1990.

3 Further correspondence about this application should quote the reference number at the top right hand corner of the form.