ADUR DISTRICT COUNCIL

Mr Brian Elstone
Brian Elstone Surveying Services Ltd
14 Sutton Avenue
Rustington
West Sussex
BN16 2ET

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1528/18

Details of Development
CONVERSION OF THE FIRST FLOOR FLAT TO OFFICE AND STORE FOR SHOP BELOW, GROUND FLOOR FRONT/SIDE (SOUTH/WEST) EXTENSION TO EXISTING SHOP WITH RAMP AND DISABLED ACCESS TOILET. FRONT SOUTH, EAST AND WEST SIDE ELEVATIONS TO BE CLAD IN OAK BOARDING, NEW MULTI HOSE FUEL DISPENSERS WITH NEW CONCRETE PAVING. NEW CANOPY ON 4NO. NEW COLUMNS. EXISTING STORAGE TANKS DECOMMISSIONED AND NEW DOUBLE SKIN TANKS INSTALLED. RELOCATION OF EXISTING JET WASH WITH AIR/WATER AND VACUUM UNIT TO SOUTH EAST CORNER. INCREASED PARKING AREA TO FRONT OF SITE AND BIN STORE TO NORTH WEST CORNER.

Location of Development
MANOR ROAD SERVICE STATION 96 MANOR ROAD LANCING WEST SUSSEX BN15 0HL

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 15th October 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
25/01/2019

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
Web: www.adur-worthing.gov.uk

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
SITE PLAN	Drg No 1293/001 Rev G	22.01.2009
PROPOSED ELEVATIONS - SHEET 1	Drg No 1293/008 Rev C	23.01.2019
PROPOSED ELEVATIONS - SHEET 2	Drg No 1293/009 Rev C	23.01.2019
GENERAL CROSS SECTION	Drg No 1293/011 Rev B	23.01.2019
JET WASH LAYOUT DETAIL	Drg No 1293/012 Rev A	22.01.2019
ENVIRONMENTAL RISK ASSESSMENT	IN18436CL001	22.10.2018
ENVIRONMENTAL RISK ASSESSMENT	IN18436CL002a	12.12.2018
PROPOSED GROUND FLOOR PLAN	Drg No 0423 51 51 Rev A	21.12.2018
LOCATION PLAN		15.10.2018
EXTG SHOP LAYOUT	Drg No 1293/003 Rev A	15.10.2018
EXTG ELEVATIONS - SHEET 1	Drg No 1293/004 Rev A	15.10.2018
EXTG ELEVATIONS - SHEET 2	Drg No 1293/005 Rev A	15.10.2018
EXTG SITE PLAN	Drg No 1293/006 Rev A	15.10.2018
LOCATION AND BLOCK SITE PLANS	Drg No 1293/007 Rev A	15.10.2018

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.*

/Contd …

03. No work for the implementation of the development hereby permitted shall be undertaken on the site on Sundays or on Public Holidays. On all other days such work shall only be undertaken between the hours of 8am and 6pm.

Reason: *To safeguard the amenities of the occupiers of neighbouring properties having regard to policies 15 and 34 of the Adur Local Plan.*

04. No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled Proposed Site Plan and numbered 1293/001 REV G.

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

05. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: *To provide car-parking space for the use having regard to policy 28 of the Adur Local Plan.*

06. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority (who shall consult with Highways England). The development shall be carried out in accordance with the approved Method Statement and shall be adhered to throughout the construction period. The Statement shall provide for:-

(i) the parking of vehicles of site operatives and visitors;
(ii) loading and unloading of plant and materials;
(iii) storage of plant and materials used in constructing the development;
(iv) the erection and maintenance of security hoarding;
(v) wheel-washing facilities;
(vi) measures to control the emission of dust and dirt during construction;
(vii) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
(viii) details of the management of traffic during the construction period and measures to prevent dust and debris from being deposited onto the A27 Trunk Road

Reason: *In the interests of highway safety and amenity.*

/Contd …

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.

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.*

/Contd …

08. No part of the development hereby permitted shall be commenced until a scheme has been submitted to and approved by the LPA (who shall consult with Highways England). The scheme will demonstrate that the proposed retaining wall adjacent to the A27 Highway boundary has structural integrity. The scheme shall then be implemented in full following written agreement by the LPA (who shall consult with Highways England).

Reason: *To ensure that the proposed retaining wall is designed and constructed in a way which prevents it from collapsing onto the A27 highway land and to ensure that the A27 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.*

09. All works to construct and maintain the retaining wall shall be undertaken from the application site land and not from the highway land.

Reason: *To ensure that the A27 trunk road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.*

10. No surface water shall be permitted to run off from the development hereby permitted onto the highway or into any drainage system connected to the highway.

Reason: *To ensure that the A27 trunk road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.*

11. No working, trade or business whatsoever (including arrival, reception or despatch of deliveries) shall take place on the premises except between the hours of:-

0700 - 2100 on Mondays to Saturdays inclusive;
0800 - 2000 on Sundays

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

12. No storage shall take place in the open on any part of the site.

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

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13. The external materials and finishes of the development hereby permitted shall, prior to commencement of use of the additional floorspace thereby created, be completed to be in accordance with the approved plans unless otherwise approved in writing by the Local Planning Authority.

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

14. The offices and store at first floor hereby permitted shall be ancillary to the primary use of the site as a petrol filling station with shop.

    Reason: *In the interests of amenity 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 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.

02. The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

03. In theory the proposed Retardant Treatment looks suitable and complies with the relevant standard but it is strongly recommended that they consult their fire risk assessor to ensure that this fire retardant treatment is appropriate and amended their fire risk assessment accordingly.

04. Please can the applicant contact Joanne Lewis, Environmental Health to confirm whether stage II vapour recovery will be installed as this will require a variation of the existing permit.

05. This permission does not purport to grant consent for any advertisement identified on the submitted plans, which will require a separate advertisement consent application on their own behalf

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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 you want to appeal, then you must do so within six months, 12 weeks for a minor commercial (shop front) of the date of this notice. Appeals must be made using a form which you can get from the Secretary of State online at https://acp.planninginspectorate.gov.uk or at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000).

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.

7. 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.

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

9. 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).