ADUR DISTRICT COUNCIL

Mr Peter Rainier
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Griffin House
135 High Street
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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/1751/20

Details of Development
APPLICATION TO VARY CONDITION 1 OF PREVIOUSLY APPROVED AWDM/0961/17: MINOR MATERIAL AMENDMENT TO THE APPROVED PUMPING STATION TO INCORPORATE A SUB-STATION.

Location of Development
LAND EAST OF SHADWELLS ROAD AT MASH BARN ESTATE MASH BARN LANE LANCING 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 22nd October 2020.

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
12/03/2021

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 and the drawings approved under reference AWDM/1969/20 and AWDM/0947/20 and the original planning permission AWDM/0961/17 unless specified otherwise in a subsequent condition imposed on this decision notice:-

Reference/Drawing Number	Version	Date Rec
MASTER PLAN	L(00) 011 REV X	23.11.2020
PROPOSED SURFACE WATER PUMPING STATION	2258 Rev C	22.10.2020
PUMPING STATION - PROPOSED ELEVATIONS	500 Rev C	22.10.2020

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

02. The development for which full planning permission is granted shall be begun before the expiration of three years from the date of this permission.

Reason: *To comply with section 91 of the Town and Country Planning Act.*

03. If, during development, contamination not previously identified is found to be present at the site then no further development within that Phase shall be carried out (unless otherwise agreed in writing with the local planning authority) until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: *To ensure that contaminated material is remediated to protect ground water and public health.*

04. The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment (FRA) (CEP v1.4, dated June 2017) and FRA Addendum (CEP v1.3, dated December 2017) in relation to preventing flood risk to the proposed development and in particular shall include the following mitigation measures:

- Crest height of the onsite flood defence embankment to be set no lower than 5.4mAOD
- Finished first floor levels to habitable accommodation to be set no lower than 5.7mAOD
- Finished floor levels to retail store and primary school to be set no lower than 4.5mAOD

/Contd …

- Floor levels to the proposed traveller site are set no lower than (4.35mAOD) and highest (5.0mAOD) as shown on drawing number (2-401A).

Reason: *To ensure that the development is protected from flood risk.*

05. Within one calendar year from commencement of the development a written Conservation Management Plan for the Shoreham Airfield Dome Trainer shall be submitted to and approved in writing by the Local Planning Authority. Thereafter works shall be carried out in full accordance with the approved details.

Reason: *In order to ensure the conservation and enhancement of the scheduled monument.*

06. All hard and soft landscape works including any management and maintenance plan details, shall be carried out in accordance with the approved details. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out no later than first planting and seeding seasons following the first occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five 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. All landscape works shall be carried out in accordance with the guidance contained in British Standards BS5837:2012.

Reason: *In the interests of visual amenity and enhancing biodiversity*

07. Within two months of the completion of each phase of the development as built drawings of the implemented drainage scheme together with a completion report prepared by an independent drainage engineer that confirms that the scheme was built in accordance with the approved drawings and provides appropriate surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be maintained in perpetuity in accordance with the approved drawings unless otherwise agreed, in writing, with the Local Planning Authority.

Reason: *To ensure that the development provides appropriate surface water disposal and does not increase flood risk off site in accordance with the Local Plan and national planning policies.*

08. The development shall be implemented in accordance with the detailed drainage calculations approved in connection with application reference No. AWDM/0260/20) in support of the overall drainage strategy to demonstrate that the development will not increase flood risk offsite for events up to and including the 1 in 100 year plus 40% climate change event shall be submitted to and approved in writing with the LPA.

Reason: *To meet the requirements of the National Planning Policy Framework (NPPF) and adopted Local Plan Policy 36.*

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09. The development shall be implemented in accordance with the Phasing Plan approved under reference AWDM/0260/20 unless a variation is otherwise approved in writing by the Local Planning Authority. The approved Phasing Plan identifies those works proposed prior to the construction and first use of the pumping station hereby approved and mitigation works necessary to allow any backfilling of existing ditches to prevent any increase in offsite flood risk. The approved details include calculations demonstrating that adequate capacity and conveyance of water will be provided at all times so as to not increase offsite flood risk.

Reason: *To control the development in detail and to avoid increased flood risk offsite, to comply with Local Plan Policy 35 and the NPPF.*

10. No phase of the development shall commence until precise details of the surface water disposal identifying the treatment train prior to discharging to the water course shall be submitted to and approved in writing by the Local Planning Authority. A quantitative approach as per the methodology set out within CIRIA C753 shall be used to demonstrate adequate treatment prior to discharge to the watercourses. Note - This condition has been discharged in relation to the first phase of residential development under reference AWDM/0260/20.

Reason: *To comply with Local Plan Policy 35 and best practice set out in the Sustainable Drainage Systems (SuDs) Manual.*

11. No Phase of the development shall commence until the measures which will be undertaken to protect the public water apparatus located within that Phase, have been submitted to and approved in writing with the Local Planning Authority. Note: Phase 1 of development has discharged this condition under reference AWDM/0260/20.

Reason: *To comply with Local Plan Policy 35 and best practice set out in the Sustainable Drainage Systems (SuDs) Manual.*

12. No Phase of the development shall commence, including any works of demolition, until a Construction Management Plan for that Phase 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 unless otherwise agreed, in writing, with the Local Planning Authority. The Plan shall provide details of:

- 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 hours of construction,

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- 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.

Note: The first phase of development has discharged the requirements of this condition under reference AWDM/0260/20.

Reason: *To control the development in detail in the interests of road safety.*

13. No Phase of the development shall commence until full details of the existing and proposed land levels of that Phase in relation to Ordnance Datum and to surrounding properties have been submitted to and approved in writing by the Local Planning Authority. Note: the first phase of development has discharged the requirements of this condition under reference AWDM/0260/20.

Reason: *To control the development in detail in the interests of visual amenity.*

14. No Phase of the development shall commence until an Ecological Mitigation and Management Plan (EMMP) for that Phase has been submitted to and approved in writing by the Local Planning Authority. The EMMP shall incorporate the recommendations of Chapter 11 of the Environmental Statement dated June 2016 and its appendices, and Chapter 11 of the Further Information to the Environmental Statement dated December 2017 and its appendices. Note: the first phase of development has discharged the requirements of this condition under reference AWDM/0260/20.

Reason: *To accord with the terms of application and to ensure a net gain in biodiversity.*

15. The construction of the pumping station shall be undertaken in accordance with the approved scheme for the provision and management of at least 840m2 compensatory intertidal habitat creation submitted and approved under application reference AWDM/0260/20 which incorporated the recommendations of the Flood Risk Assessment (FRA) Addendum ((CEP v1.3, dated December 2017) and drawing ref. 6-301.

Reason: *In the interests of flood protection.*

16. No Phase of the development shall commence until a Construction Environmental Management Plan for that Phase in accordance with the approach outlined in the Environmental Statement, has been submitted to and approved in writing by the local planning authority. This shall deal with the treatment of any environmentally sensitive areas, their aftercare and maintenance as well as a plan detailing the works to be carried out showing how the environment will be protected during the works. Such a scheme shall include details of the following:

- The timing of the works

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- The measures to be used during the development in order to minimise environmental impact of the works (considering both potential disturbance and pollution).
- A map or plan showing areas designated for oil storage, washing down concrete/ cement, etc.
- A map or plan showing habitat areas to be specifically protected during the works.
- Any necessary pollution protection methods.
- Information on the persons/bodies responsible for particular activities associated with the method statement that demonstrates they are qualified for the activity they are undertaking.

The works shall be carried out in accordance with the approved method statement approved for the relevant Phase. Note: the first phase of development has discharged the requirements of this condition under reference AWDM/0260/20.

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

17. No Phase of the development shall commence until a scheme for the provision and management of a minimum 3.5 metre buffer zone alongside all ditches measured from the top of the bank within the Phase has been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The buffer zone scheme shall be free from built development and garden areas other than footpaths or access roads which can be used to assist the management and access to the remodelled water courses. The schemes shall include:

- plans showing the extent and layout of the buffer zone.
- details of any proposed planting scheme (for example, native species).
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of a detailed management plan.
- details of any proposed highway, footpaths, fencing, lighting etc.

Note: the first phase of development has discharged the requirements of this condition under reference AWDM/0260/20.

Reason: *In the interests of ensuring the appropriate management and maintenance of ditches to prevent future flooding.*

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18. No Phase of the development, except remediation, demolition, archaeological and drainage works in accordance with the agreed Phasing Plan shall commence until a detailed watercourse management plan, in accordance with the approved Draft Watercourse and Flood Defence Bund Management Plan dated 12th December 2017, including long-term ecological objectives, management responsibilities and maintenance schedules for all of the ditches within that Phase, has been submitted to and approved, in writing, by the Local Planning Authority. The water management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority. The scheme shall include the following elements:

    - details on how water levels in the ditches shall be maintained to achieve the long term ecological objectives of the plan.
    - details of maintenance regimes and management responsibilities.
    - details of eel passage through hydrological barriers as required by Eel Regulations.
    - details of monitoring and adaptive management.

    Note: the first phase of development has discharged the requirements of this condition under reference AWDM/0260/20.

    Reason: *To safeguard the ecological objectives for the watercourse and wider area.*

19. No works to the ditch network within any Phase of the development shall take place until a detailed scheme of the proposed alterations to the ditches within that Phase has been submitted to and approved, in writing, by the local planning authority. The scheme shall be carried out as approved and any subsequent variations shall be agreed, in writing, by the Local Planning Authority. The scheme shall include the following:

    - scaled plan and section drawings of channel profiles.
    - details of how profiles and features have been incorporated to maximise ecological benefit.
    - details of the design of the reed bed pond.
    - details of the design of the sedge bed wetland.

    Note: the first phase of development has discharged the requirements of this condition under reference AWDM/0260/20.

    Reason: *To safeguard the ecological objectives for the watercourse and wider area.*

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20. No construction of the proposed bridges shall take place until such time as the Technical Approval process as specified within BD 2/12 of the Design Manual for Roads and Bridges has been completed with regard to the proposed 5 Highway Bridges (HW01-05) and written confirmation has been submitted to and approved, in writing, by the Local Planning Authority in consultation with the Highway Authority.

    Reason: *To control the development in detail and in the interests of road safety.*

21. No Phase of the development except remediation, demolition, archaeological and drainage works in accordance with the approved Phasing Plan, shall take place until a schedule of materials for that Phase, including details of hard and soft landscaping, has been submitted to and approved, in writing, by the Local Planning Authority.

    Note: the first phase of development has discharged the requirements of this condition under reference AWDM/0260/20.

    Reason: *To control the development in detail and in the interests of visual amenity.*

22. No construction of the A27 access roundabout as shown on drawing VN40408_PL-015-J shall be carried out, except remediation, demolition, archaeological and drainage works (in accordance with the approved Phasing Plan) until the new Withy Patch Gypsy and Traveller Site has been completed in accordance with the approved plans and made available for use.

    Reason: *To accord with the terms of the application and the requirements of Policy 5 of the adopted Local Plan.*

23. The traffic signal control at the Sussex Pad junction associated with General Arrangement Drawing Number VN40408/PL-015 Rev J shall not be removed until the proposed improvements to upgrade the existing footpath ProW 2049 to a bridleway as shown in General Arrangement Drawing Number VD14260_SK-0101 Rev C and the new bridleway link between PRoW 2049 to Coombes Road as shown in General Arrangement Drawing Number HED-1172-LA-601 Rev 02 Masterplan and Elevation have been completed to the satisfaction of Highways England and West Sussex County Council as Local Highway Authority.

    Reason: *To ensure alternative pedestrian and cycle crossing of the A27 is available in the interest of road safety.*

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24. No Phase of the development shall commence until the implementation of a programme of archaeological mitigation works within that Phase has been secured in accordance with a written Archaeological Mitigation Strategy and timetable which have been submitted to and approved in writing by the Local Planning Authority. The following heritage assets listed in the Environmental Statement Appendix 12.3 (Archaeology and Cultural Heritage Impact Assessment report) will be recorded:

    (a) HA001 (Shoreham Airfield dome trainer).
    (b) HA025 (Over blister hangar)
    (c) HA 027 (Daniel's Barn).
    (d) HA 050 (WWII pillbox)
    (e) HA 058 (WWII Type 24 pillbox).
    (f) HA 061 (WWII field gun emplacement).

    Note: the first phase of development has discharged the requirements of this condition under reference AWDM/0260/20.

    Reason: *To protect heritage assets in accordance with the National Planning Policy Framework.*

25. No construction of the A27 access roundabout shall commence until details of a landscaping and ground improvement scheme for the vicinity of the Shoreham Airfield dome trainer Scheduled Monument has been submitted to and approved, in writing, by the Local Planning Authority. Thereafter, the approved scheme shall be implemented prior to the first use of the non-food retail store hereby approved.

    Reason: *To protect and enhance the setting of the heritage asset.*

26. No Residential or Commercial Phase of the development shall commence until details of the air quality mitigation measures (as summarised within the Emissions Mitigation Options List dated 5 July 2018) for that Phase have been submitted to and approved in writing by the LPA. Note: the first phase of residential development has discharged the requirements of this condition under reference AWDM/0207/20 with electric charging points (7KW) being installed in specified garages.

    Reason: *To mitigate the impact of the development on air quality in area in accordance with the measures set out in the application.*

27. No dwelling shall be first occupied until a Residential Travel Plan has been submitted to and approved, in writing, by the Local Planning Authority. The Residential Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Residential Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority. Note: A travel plan has been submitted for the first phase of residential development under reference AWDM/2048/20 and is being considered by the Highway Authority.

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Reason: *In the interests of encouraging sustainable transport and to minimise any adverse impact on the local highway network.*

28. No dwelling shall be first occupied until covered and secure cycle parking spaces serving that dwelling have been provided in accordance with plans and details that shall be submitted to and approved, in writing, by the Local Planning Authority.

Reason: *To ensure that measures are in place to encourage sustainable transport.*

29. No dwelling shall be first occupied until the car parking serving that dwelling has been constructed in accordance with the approved plans. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: *To ensure that measures are in place to encourage sustainable transport.*

30. The football pitches hereby approved shall not be brought into use until the boundary fencing shown on the approved plans has been erected. Such fencing shall thereafter be permanently retained.

Reason: *To control the development in detail.*

31. No more than 60 dwellings shall be occupied until improvements to the Grinstead Lane approach to the A27 as shown in Drawing Number VN40408/PL-032 have been completed to the satisfaction of West Sussex County Council as Local Highway Authority.

Reason: *In the interest of highway safety.*

32. The use of the football pitches hereby approved shall be limited to between the hours of 9am until 10pm every day.

Reason: *In the interests of amenity.*

33. Each Phase of the development for which outline planning permission is hereby granted shall be commenced before the expiration of three years from the date of this permission or two years from approval of the last Reserved Matters relevant to that Phase as defined in Condition 34, 35 and 36 below, whichever is later.

Reason: *To comply with section 91 of the Town and Country Planning Act.*

34. The detailed design of the development proposed through Reserved Matters applications pursuant to the outline planning permission shall have regard to, and broadly accord with, the principles set out in the approved parameter plans and supporting documents.

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

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35. Details of the Reserved Matters associated with the residential dwellings granted outline approval (the Residential Reserved Matters) shall be submitted to the Local Planning Authority within three years from the date of this permission to include:

(i) scale
(ii) appearance
(iii) layout
(iv) landscaping

No development of the dwellings granted outline permission, other than remediation, drainage (in accordance with the approved Phasing Plan) and archaeological works, shall commence until the Residential Reserved Matters has been submitted to and approved by the Local Planning Authority.

Reason: *To comply with section 91 of the Town and Country Planning Act.*

36. Details of the Reserved Matters associated with the Non-Food Retail Store granted outline approval (the Retail Reserved Matter) shall be submitted to the Local Planning Authority within three years from the date of this permission:

(i) Landscaping

The submitted details shall include precise specifications of the proposed Green Roof including plant species and density of planting and cross sections identifying planting height to demonstrate screening of the remainder of the roof and a maintenance schedule.

No development of the Non-Food Retail Store, other than remediation, drainage (in accordance with the approved phasing plan) and archaeological works, shall commence until the Retail Reserved Matter has been submitted to and approved by the Local Planning Authority.

Reason: *To comply with section 91 of the Town and Country Planning Act.*

37. Prior to the commencement of any phase of development for which outline planning permission is hereby granted, a Phasing Plan should be submitted and approved in writing by the Local Planning Authority. The development should then be carried out in accordance with the approved Phasing Plan unless otherwise varied with the prior written approval of the Local Planning Authority.

Reason: *To ensure that each phase of the development has appropriate supporting infrastructure and drainage to avoid flood risk to existing and proposed dwellings.*

38. The Green Roof of the approved Non-Food Retail Store shall be a minimum of 4,500 square metres.

Reason: *In the interests of visual amenity and biodiversity.*

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39. Details of the Reserved Matters associated with the Primary School granted outline approval (the School Reserved Matters) shall be submitted to the Local Planning Authority within three years from the date of this permission:

(v) scale
(vi) appearance
(vii) layout
(viii) landscaping

No development of the Primary School, other than remediation, drainage (in accordance with the approved Phasing Plan) and archaeological works, shall commence until the School Reserved Matters has been submitted to and approved by the Local Planning Authority.

Reason: *To comply with section 91 of the Town and Country Planning Act.*

40. The height of the proposed Non-Food Retail Store should not exceed 12.14 metres (16.64 - Above Ordnance Datum AOD) (other than plant and associated infrastructure which should not exceed 15.00 metres).

Reason: *In the interests of visual amenity.*

41. Notwithstanding the submitted details, prior to the commencement of the non-food retail store detailed plans of the louvres to the northern elevation shall be submitted to and approved by the Local Planning Authority. These details shall include detailing, materials and spacing of the louvres and shall generally be in accordance with Drawing Number: CMT 00760-CW-ZZ-XX-DR-A-SK-050 submitted on 23rd August 2018. The development shall commence in accordance with the approved Drawing and retained in perpetuity unless otherwise agreed, in writing, with the LPA.

Reason: *In the interests of visual amenity and to reduce the impact of the development on the setting of the National Park.*

42. The Non-Food Retail store hereby permitted shall achieve a BREEAM "Very Good" standard as a minimum. Within three months from commencement of the Non-Food Retail Store a BREEAM design stage assessment report shall be submitted to the Local Planning Authority confirming that this standard will be achieved. A post completion BREEAM report shall be submitted to the Local Planning Authority within 6 months of the substantial completion of the development hereby approved. The required BREEAM assessments shall be prepared, and any proposed design changes approved prior to commencement of the development, by a licensed BREEAM assessor.

Reason: *To ensure sustainable development in accordance with Local Plan and national planning policies.*

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43. No development of the Primary School shall take place until an acoustic report has been submitted to and approved, in writing, by the Local Planning Authority which contains details of how the School at all storeys and all facades will be glazed and ventilated in order to protect internal occupants from road traffic noise and to comply with the "good" levels in British Standard 8233 and the levels stated in BB93 or suitable equivalent. The scheme shall be implemented fully in accordance with the approved details and retained as such thereafter.

    Reason: *To ensure an appropriate noise environment for the school.*

44. Prior to the occupation of the 250th dwelling the helicopter training circuit shall be amended to avoid the new housing areas and the revised circuits implemented on a permanent basis by Shoreham Airport in accordance with its letter and accompanying plan dated the 15th January 2019.

    Reason: *In the interests of aviation safety and residential amenity.*

45. No development, other than remediation, archaeological and drainage works (in accordance with the approved Phasing Plan) shall take place until a scheme for biodiversity enhancement has been submitted to and approved by the Local Planning Authority. The scheme shall be fully implemented in accordance with the approved details and retained as such thereafter.

    Reason: *In the interests of biodiversity.*

46. The Non-Food Retail store shall not be occupied until such time as a Servicing Management Plan has been submitted to and approved, in writing, by the Local Planning Authority. This shall set out the arrangements for the loading and unloading of deliveries, in terms of location and frequency, and set out arrangements for the collection of refuse. Once occupied the use shall be carried out only in accordance with the approved Servicing Management Plan.

    Reason: *To control the development in detail and in the interests of road safety.*

47. The Non-Food Retail store shall not be occupied until the bicycle and motorcycle parking have been provided in accordance with the approved drawings. Thereafter, these spaces shall be kept available for use at all times.

    Reason: *To ensure that measures are in place to encourage sustainable transport.*

48. No dwelling shall be occupied in Phase 4 until the Country Park has been completed in accordance with the approved plans to the satisfaction of the Local Planning Authority.

    Reason: *To accord with the terms of the application and to ensure open space provision for the new residential development.*

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49. Neither the Non-Food Retail store or any more than 249 dwellings shall be occupied until the proposed improvements to the A27 / Grinstead Lane / Manor Road Roundabout as shown in the General Arrangement Drawing Number VN40408/PL-010 Rev D have been completed to the satisfaction of Highways England and West Sussex County Council as local highway authority, or a contribution has been made for the cost of the works shown in Drawing Number VN40408/PL-010 Rev D, to be secured under Section 106 of the Town and Country Planning Act 1990.

    Reason: *In the interests of highway safety.*

50. Neither the Non-Food Retail store or any more than 249 dwellings shall be occupied until the proposed Development Access and Sussex Pad Junction Works as shown in the General Arrangement Drawing Number VN40408/PL-015 Rev J and the Coombes Road Merge / A283 Diverge Link Works as shown in General Arrangement Drawing Number VN40408/PL-030 Rev A have been completed to the satisfaction of Highways England and West Sussex County Council as local highway authority.

    Reason: *In the interests of highway safety.*

51. The Non-Food Retail store shall not be occupied until a Staff Travel Plan has been submitted to and approved, in writing, by the Local Planning Authority. The Staff Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Staff Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

    Reason: *To ensure that measures are in place to encourage sustainable transport and to reduce the impact of the development on the local highway network.*

52. Neither the Non-Food Retail store or any more than 249 dwellings shall be occupied until a bus gate between Hayley Road and the development has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

    Reason: *In the interests of highway safety.*

53. The non-food retail store hereby approved shall not be open to the public before 10:00 am Monday to Friday (excluding browsing time and use of the ancillary restaurant from 09:30 hours).

    Reason: *To accord with the terms of the application.*

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54. No more than 249 dwellings shall be occupied until access from Hayley Road has ceased from which point it shall be limited (in accordance with details first submitted to and approved, in writing, by the local planning authority) to use by cyclists, pedestrians buses or emergency vehicles only.

Reason: *To accord with the terms of the application and in the interests of highway safety.*

55. The approved landscaping scheme for each Phase shall be fully implemented in accordance with the approved details within the first planting season following the substantial completion of that Phase. Any trees, hedges or shrubs, which within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced with trees, hedging plants or shrubs of a type, size as previously approved unless agreed, in writing, with the Local Planning Authority.

Reason: *In the interests of visual amenity and biodiversity.*

56. Notwithstanding the provisions of Class A1 of the Town and Country Planning Act 1990, Use Classes (amendment) Order 2005, the use of the non-food retail store shall be limited to the sale of bulky goods, DIY products, furniture and homewares and those goods and departments referred to in the Retail Statement prepared by DWD and for any ancillary uses which are offered in support of the main retail function.

Reason: *To mitigate the impact of the development on town centres in accordance with the National Planning Policy Framework and the adopted Local Plan policies.*

57. The non-food retail store hereby approved shall not be divided into more than one unit and shall be used for the purposes of a single retail operator unless otherwise agreed, in writing, with the local planning authority.

Reason: *To control the development in detail and mitigate any adverse impact on town centres in the vicinity.*

Informatives / Notes to Applicant

01. Flood Risk Activity Permit
The Applicant may require a variation to an existing Flood Risk Activity Permit for these works.
Any works in, under or over the tidal River Adur or within 16 metres from the landward toe, requires a Flood Risk Activity Permit (FRAP) from the Environment Agency.

Flood resilience
As specified in previous comments regarding the pumping station, it is recommended for pumping stations to be designed to accommodate a 1 in 1000 year flood event and the same applies to the associated sub-station.

Ref: AWDM/1751/20

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 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).