ADUR DISTRICT COUNCIL

Mr Ian Coomber
Absolute Town Planning Ltd
C/o Parkers At Cornelius House
178/180 Church Road
Hove
East Sussex
BN3 2DJ

PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015
TOWN AND COUNTRY PLANNING GENERAL REGULATIONS, 1992

APPLICATION NUMBER: AWDM/1135/19

Demolition of existing toilet block and construction of a building over three floors comprising multi-purpose space at lower ground floor with cafe/restaurant above and covered roof terrace.

Public Conveniences Beach Green Shoreham-By-Sea West Sussex

In pursuance of their powers under the above-mentioned Act, Order and the Regulations for the reason stated hereunder the Council hereby notify you that they PERMIT under of the Town and Country Planning General Regulations, 1992, the above development, in accordance with the application and relevant correspondence registered on 19th July 2019.

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
19/11/2019

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

Ref: - AWDM/1135/19

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	Drg No P210	19.07.2019
PROPOSED ELEVATIONS & SECTIONS	Drg No P200	19.07.2019
PROPOSED SECTION AA	Drg No P300	19.07.2019
ECOLOGY MEETING NOTES		19.07.2019
NOISE ASSESSMENT	Issue 1	19.07.2019
TRANSPORT REPORT	SGR/SBC/080509 V2	19.07.2019
FLOOD RISK ASSESSMENT	Ref 4572	19.07.2019
PRELIMINARY ECOLOGICAL APPRAISAL	May 2019	19.07.2019
TOWN PLANNING STATEMENT		19.07.2019
STATEMENT OF COMMUNITY ENGAGEMENT		19.07.2019
BREEAM	Version 01	19.07.2019
SITE LOCATION PLAN	Drg No A00	19.07.2019
SITE BLOCK PLAN	Drg No A10	19.07.2019
EXISTING PLANS & ELEVATIONS	Drg No A20	19.07.2019
EXISTING TOILET BLOCK & ELEVS	Drg No A25	19.07.2019
INDICATIVE PROPOSED CONTOURS	Drg No P50	19.07.2019
PROPOSED LOWER GF PLAN	Drg No P100	19.07.2019
PROPOSED UPPER GROUND FLOOR PLAN	Drg No P110	19.07.2019
PROPOSED ROOF TERRACE LEVEL	Drg No P120	19.07.2019
PROPOSED SECTION BB	Drg No P310	19.07.2019
PROPOSED VIEW FROM NORTH WEST	Drg No P700	19.07.2019
PROPOSED VIEW FROM ACCESS ROAD (SOUTHEAST)	Drg No P710	19.07.2019

Reference/Drawing Number	Version	Date Rec
TOPOGRAPHICAL SURVEY	Drg No 19/107/100-A	19.07.2019
TOPOGRAPHICAL SURVEY	Drg No 19/107/100-B	19.07.2019
PROPOSED ROOF PLAN	Drg No P130	19.07.2019

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. No development shall be carried out (excluding the demolition of the existing building) unless and until a schedule of materials and finishes to be used for the external walls (including windows and doors) and roof/canopy of the proposed building has been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved schedule.

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

04. No part of the development shall be first occupied until 27 cycle parking spaces have been provided in accordance with plans submitted to and approved in writing with the Local Planning Authority.

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

05. No development shall take place, including any works of demolition, until a Construction Management Plan 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. 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.*

06. The community space shall only be used in connection with community events and activities falling within Use Class D2 and as a community art gallery or community non-residential training/educational use within Use Class D1 as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose.

Reason: *To accord with the terms of the application and to control any subsequent proposals for change of use.*

07. Prior to the commencement of development (excluding the demolition of the existing building) details of a sustainable urban drainage system (SUDs) shall be submitted to and agreed in writing with the Local Planning Authority. The approved details shall be implemented prior to the first use of the building and maintained thereafter to ensure the effective and efficient SUDs drainage for the development.

Reason: *In the interests of securing sustainable drainage and preventing flood risk.*

08. The premises shall only be open for the public between the hours of 07:00hrs until 23:00hrs, Monday to Saturday and 07:00hrs to 22:00hrs on Sundays and Bank Holidays, with the exception to Christmas Eve and New Year, where the public shall vacate the premises no later than 00:30hrs.

Reason: *In the Interests of residential amenity.*

09. No part of the development shall be first occupied until such time as a Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan Statement 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 and the recommendations of the Plan shall thereafter be implemented and monitored to encourage more sustainable modes of transport to the site.

Reason: *To encourage sustainable modes of transport to the site.*

10. No external lighting shall be installed on the building without details being first submitted to and approved in writing with the Local Planning Authority.

Reason: *In the interests of residential amenity.*

11. The development shall be undertaken in accordance with the recommendations of the submitted Ecology Report and the building shall not be occupied until bird boxes have been installed on the building as specified in the Ecology report.

Reason: *To mitigate any adverse impacts on wildlife and to ensure a net gain in biodiversity.*

12. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include matters such as:-

    i) Proposed finished levels and contours;
    ii) Means of enclosure;
    iii) Vehicle and pedestrian access and circulation areas;
    v) Hard surfacing materials;
    vi) Minor artefacts and structures
    vii) Proposed and existing functional services above and below ground such as drainage, power; communications cables, pipelines etc. (indicating lines, manholes, supports);
    viii) Retained historic landscape features and proposals for restoration where relevant.

    Soft landscape works shall include planting plans; written specifications; schedules of plants stating species, sizes and numbers/densities; and the implementation programme. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be completed before any part of the development is occupied or in accordance with the implementation programme approved in writing by the Local Planning Authority.

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

13. Details of any kitchen extract and mechanical ventilation system shall be submitted to and approved in writing with the Local Planning Authority prior to the commencement of development (excluding the demolition of the existing building). The kitchen extract and ventilation systems and in particular any external ductwork or discharge positions must not exceed 85 dB LWA or 77 dB(A) measured at 1 metre.

    Reason: *In the interests of residential amenity.*

14. Prior to the occupation of the building a Noise Management Plan shall be submitted to and approved in writing with the Local Planning Authority detailing the proposed use of the terrace and the use of the ground and first floor areas (with particular emphasis on amplified and or live music) and shall set appropriate maximum noise levels inside the building. Thereafter, the premises shall only be occupied in accordance with the approved Plan.

    Reason: *In the interests of residential amenity.*

15. The public toilets on the ground floor of the building and the external showers shall be open at all times to the public between the minimum hours of 9.00 am and 9.00 pm during the period of 1st April to 30th September in each year and between the minimum hours of 9.00 am and 5.00 pm during the period of 1st October to 31st March in each year. The toilets and external showers shall be maintained in accordance with a management/maintenance plan first submitted to and approved in writing by the Local Planning Authority prior to the occupation of the building.

Reason: *To accord with the terms of the application and to ensure the replacement of public facilities on the site.*

16. The development hereby approved shall be constructed to maximise the efficiency of the use of energy, water and materials and to meet the equivalent of the BREEAM Very Good rating in accordance with the BREEAM Pre-assessment Report submitted with the application.

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.*

17. At all times, the flood resilience measures identified within Section 7.6 of the Flood Risk Assessment (FRA) shall be implemented, and the applicants, as per 7.8 of the FRA, must register with the Environment Agency's flood warning service prior to the implementation of the first use of the building hereby permitted.

Reason: *In order that appropriate actions and measures can be undertaken in advance of any potential flood event.*

18. Prior to the commencement of the development (excluding the demolition of the existing building) hereby permitted, details of the extension to the existing bus stop layby on its eastern side shall be submitted to and approved by the Local Planning Authority in consultation with West Sussex County Council as the Highways Authority and the approved scheme shall be provided prior to the first use of the building.

Reason: *To ensure that adequate provision for servicing the development is made.*

19. Prior to the first use of the building hereby approved, a Servicing Management Plan (SMP) shall be submitted to and approved in writing by the Local Planning Authority. Specifically, the use of the cycle/pedestrian route to the south of the building shall be expressly excluded from any servicing provision and details of improvement to the existing footpaths to the north of the development (including details of the link from the extended bus layby to existing footpaths shall be included within the SMP). Thereafter, all servicing to the building shall be in accordance with the approved details.

Reason: *To ensure adequate servicing provision and to confirm that the route to the south, use of which would cause possible conflict with pedestrians and cyclists, will not be used.*

20. The first and second floor Restaurant/Cafe hereby approved shall only be used for purposes within use Class A3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose. The kiosk indicated on the ground floor shall only be used for purposes within Use Class A5.

Reason: *To accord with the terms of the application and to control the development in detail.*

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. A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link https://beta.southernwater.co.uk/infrastructure-charges

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TOWN AND COUNTRY PLANNING ACT 1990

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 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.

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).