ADUR DISTRICT COUNCIL

Mr Jon Murch
Davies Murch
86-90 Paul Street
London
EC2A 4NE
United Kingdom

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1315/22

Details of Development

APPLICATION TO VARY CONDITION 1, 23, 26 AND 34 OF PREVIOUSLY APPROVED AWDM/1497/17 (AS AMENDED BY AWDM/1307/22) TO INCORPORATE:
I) 39 ADDITIONAL HOMES (TOGETHER WITH 8NO SUBJECT OF PREVIOUS APPLICATION AWDM/2037/20) TO GIVE A NEW TOTAL OF 587 HOMES
II) ASSOCIATED CHANGES TO PROFILES OF RIVERSIDE BLOCKS A-F (HEIGHTS UNCHANGED);
III) REDUCE COMMERCIAL SPACE (CLASS E A, B, C AND G) TO 2,163SQM;
IV) REDUCE THE LEVEL OF CAR PARKING TO 381 RESIDENTIAL SPACES AND 24 COMMERCIAL SPACES, WITH PROVISION OF CAR CLUB
V) RE-USE OF EXISTING SHEET PILING TO SUPPORT RIVERSIDE WALKWAY (OMITTING NEED FOR APPROVED POSTS)
VI) REVISED ENERGY STRATEGY.

ALSO, DESIGN AMENDMENTS TO BLOCKS G AND H, INCREASING OVERALL HEIGHT OF BLOCK G BY 1.08M (PREVIOUSLY SUBJECT OF APPLICATIONS AWDM/2037/20 AND AWDM/1952/20).

ORIGINAL DESCRIPTION:
REDEVELOPMENT OF THE SITE TO PROVIDE TEN BUILDINGS, CONTAINING 540 NEW HOMES (OF WHICH TWO WILL BE STUDIOS, 179 X ONE BED, 323 X TWO BED AND 38 X THREE BED), 2,707SQM OF COMMERCIAL FLOORSPACE AT GROUND FLOOR LEVEL WITHIN USE CLASSES, A1 (RETAIL), A3 (CAFES AND RESTAURANTS), B1 (BUSINESS) AND D1 (NON-RESIDENTIAL INSTITUTIONS). THE DEVELOPMENT ALSO INCLUDES 512 PARKING SPACES, OF WHICH 438 WILL BE FOR RESIDENTS AND 74 WILL BE FOR THE COMMERCIAL SPACE/VISITORS, RECONSTRUCTION OF THE RIVER WALL, CONSTRUCTION OF MOORING PONTOONS AND OBSERVATION PLATFORM AT THE END OF HUMPHREY'S GAP, PROVISION OF A RIVERSIDE PEDESTRIAN/CYCLE ROUTE, AREAS OF SEMI-PRIVATE AND PUBLICLY ACCESSIBLE OPEN SPACE, INTERNAL ACCESS ROADS, 596 CYCLE PARKING SPACES AND ASSOCIATED ANCILLARY AREAS. THE APPLICATION IS ACCOMPANIED BY AN ENVIRONMENTAL STATEMENT.

Ref: AWDM/1315/22

Location of Development
FREE WHARF BRIGHTON ROAD SHOREHAM-BY-SEA 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 12th September 2022.

This is for reasons stated on the schedule overleaf and subject to compliance with the conditions specified thereon.



Gary Peck
Planning Services Manager
07/03/2024

Ref: AWDM/1315/22

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.

Drawing Number	Drawing Name	Date Received
Site Wide Drawings		
2052-00-DR-0001 P02	Existing Site Location Plan	12.09.2022
2052-00-DR-0002 P02	Existing Site Application Boundary	12.09.2022
5910-GA-003 K	Site Access Proposals	12.09.2022
3117-ACA-ZZ-ZZ-DR-A-1940 P01	Site Wide Block Plan	14.02.2024
3117-ACA-ZZ-B1-DR-A-1910 P06	Site Wide Lower Ground Floor GA Plan	14.02.2024
3117-ACA-ZZ-00-DR-A-1900 P07	Site Wide Ground Floor GA Plan	14.02.2024
3117-ACA-ZZ-01-DR-A-1901 P07	Site Wide Level 01 GA Plan	14.02.2024
3117-ACA-ZZ-02-DR-A-1902 P07	Site Wide Level 02 GA Plan	14.02.2024
3117-ACA-ZZ-03-DR-A-1903 P07	Site Wide Level 03 GA Plan	14.02.2024
3117-ACA-ZZ-04-DR-A-1904 P07	Site Wide Level 04 GA Plan	14.02.2024
3117-ACA-ZZ-05-DR-A-1905 P07	Site Wide Level 05 GA Plan	14.02.2024
3117-ACA-ZZ-06-DR-A-1906 P07	Site Wide Level 06 GA Plan	14.02.2024
3117-ACA-ZZ-07-DR-A-1907 P07	Site Wide Level 07 GA Plan	14.02.2024
3117-ACA-ZZ-08-DR-A-1908 P07	Site Wide Level 08 GA Plan	14.02.2024
3117-ACA-ZZ-09-DR-A-1909 P07	Site Wide Roof Plan	14.02.2024
3117-ACA-ZZ-ZZ-DR-A-2901 P05	Site Wide Elevations Comparison – Riverfront	14.02.2024
3117-ACA-ZZ-ZZ-DR-A-2902 P05	Site Wide Elevations Comparison – Roadside	14.02.2024
3117-ACA-ZZ-ZZ-DR-A-3901 P03	Site Wide Elevations Mid Site	14.02.2024
3117-ACA-ZZ-ZZ-DR-A-3902 P03	Site Wide Elevations Building A	14.02.2024
3117-ACA-ZZ-ZZ-DR-A-3903 P03	Site Wide Elevations B & H	14.02.2024
3117-ACA-ZZ-03-DR-A-3904 P03	Site Wide Elevations D & H	14.02.2024
3117-ACA-ZZ-04-DR-A-3905 P03	Site Wide Elevations E & G1	14.02.2024
3117-ACA-ZZ-05-DR-A-3906 P03	Site Wide Elevations F & G	14.02.2024
Building A		
3117-ACA-A-00-DR-A-1900 P01	Building A Ground Floor GA Plan	14.02.2024
3117-ACA-A-01-DR-A-1901 P01	Building A Level 01 GA Plan	14.02.2024
3117-ACA-A-02-DR-A-1902 P01	Building A Level 02 GA Plan	14.02.2024
3117-ACA-A-03-DR-A-1903 P01	Building A Level 03 GA Plan	14.02.2024
3117-ACA-A-04-DR-A-1904 P01	Building A Level 04 GA Plan	14.02.2024
3117-ACA-A-05-DR-A-1905 P01	Building A Level 05 GA Plan	14.02.2024
3117-ACA-A-06-DR-A-1906 P01	Building A Level 06 Penthouse GA Plan	14.02.2024
3117-ACA-A-07-DR-A-1907 P01	Building A Roof GA Plan	14.02.2024
3117-ACA-A-ZZ-DR-A-2905 P01	Building A GA Elevations	14.02.2024
Building B		
3117-ACA-B-00-DR-A-1900 P01	Building B Ground Floor GA Plan	14.02.2024
3117-ACA-B-01-DR-A-1901 P01	Building B Level 01 GA Plan	14.02.2024
3117-ACA-B-02-DR-A-1902 P01	Building B Level 02 GA Plan	14.02.2024

3117-ACA-B-03-DR-A-1903 P01	Building B Level 03 GA Plan	14.02.2024
3117-ACA-B-04-DR-A-1904 P01	Building B Level 04 GA Plan	14.02.2024
3117-ACA-B-05-DR-A-1905 P01	Building B Level 05 GA Plan	14.02.2024
3117-ACA-B-06-DR-A-1906 P01	Building B Level 06 GA Plan	14.02.2024
3117-ACA-B-07-DR-A-1907 P01	Building B Level 07 Penthouse GA Plan	14.02.2024
3117-ACA-B-ZZ-DR-A-2906 P01	Building B Elevations	14.02.2024

Building C

3117-ACA-C-00-DR-A-1900 P01	Building C Ground Floor GA Plan	14.02.2024
3117-ACA-C-01-DR-A-1901 P01	Building C Level 01 GA Plan	14.02.2024
3117-ACA-C-02-DR-A-1902 P01	Building C Level 02 GA Plan	14.02.2024
3117-ACA-C-03-DR-A-1903 P01	Building C Level 03 GA Plan	14.02.2024
3117-ACA-C-04-DR-A-1904 P01	Building C Level 04 GA Plan	14.02.2024
3117-ACA-C-05-DR-A-1905 P01	Building C Level 05 GA Plan	14.02.2024
3117-ACA-C-06-DR-A-1906 P01	Building C Level 06 GA Plan	14.02.2024
3117-ACA-C-07-DR-A-1907 P01	Building C Level 07 GA Plan	14.02.2024
3117-ACA-C-08-DR-A-1908 P01	Building C Level 08 Penthouse GA Plan	14.02.2024
3117-ACA-C-09-DR-A-1909 P01	Building C Roof GA Plan	14.02.2024
3117-ACA-C-ZZ-DR-A-2907 P01	Building C GA Elevations	14.02.2024

Building C1

3117-ACA-C1-00-DR-A-1900 P01	Building C1 Ground Floor GA Plan	14.02.2024
3117-ACA-C1-01-DR-A-1901 P01	Building C1 Level 01 GA Plan	14.02.2024
3117-ACA-C1-02-DR-A-1902 P01	Building C1 Level 02 GA Plan	14.02.2024
3117-ACA-C1-03-DR-A-1903 P01	Building C1 Level 03 GA Plan	14.02.2024
3117-ACA-C1-04-DR-A-1904 P01	Building C1 Level 04 GA Plan	14.02.2024
3117-ACA-C1-05-DR-A-1905 P01	Building C1 Level 05 Penthouse GA Plan	14.02.2024
3117-ACA-C1-06-DR-A-1906 P01	Building C1 Roof GA Plan	14.02.2024
3117-ACA-C1-ZZ-DR-A-2908 P01	Building C1 GA Elevations	14.02.2024

Building D

3117-ACA-D-00-DR-A-1900 P01	Building D Ground Floor GA Plan	14.02.2024
3117-ACA-D-01-DR-A-1901 P01	Building D Level 01 GA Plan	14.02.2024
3117-ACA-D-02-DR-A-1902 P01	Building D Level 02 GA Plan	14.02.2024
3117-ACA-D-03-DR-A-1903 P01	Building D Level 03 GA Plan	14.02.2024
3117-ACA-D-04-DR-A-1904 P01	Building D Level 04 GA Plan	14.02.2024
3117-ACA-D-05-DR-A-1905 P01	Building D Level 05 GA Plan	14.02.2024
3117-ACA-D-06-DR-A-1906 P01	Building D Level 06 GA Plan	14.02.2024
3117-ACA-D-07-DR-A-1907 P01	Building D Level 07 GA Plan	14.02.2024
3117-ACA-D-08-DR-A-1908 P01	Building D Level 08 Penthouse GA Plan	14.02.2024
3117-ACA-D-09-DR-A-1909 P01	Building D Roof GA Plan	14.02.2024
3117-ACA-D-ZZ-DR-A-2909 P01	Building D GA Elevations	14.02.2024

Building E

3117-ACA-E-00-DR-A-1900 P01	Building E Ground Floor GA Plan	14.02.2024
3117-ACA-E-01-DR-A-1901 P01	Building E Level 01 GA Plan	14.02.2024
3117-ACA-E-02-DR-A-1902 P01	Building E Level 02 GA Plan	14.02.2024
3117-ACA-E-03-DR-A-1903 P01	Building E Level 03 GA Plan	14.02.2024
3117-ACA-E-04-DR-A-1904 P01	Building E Level 04 GA Plan	14.02.2024
3117-ACA-E-05-DR-A-1905 P01	Building E Level 05 GA Plan	14.02.2024
3117-ACA-E-06-DR-A-1906 P01	Building E Level 06 GA Plan	14.02.2024
3117-ACA-E-07-DR-A-1907 P01	Building E Level 07 GA Plan	14.02.2024
3117-ACA-E-08-DR-A-1908 P01	Building E Level 08 Penthouse GA Plan	14.02.2024
3117-ACA-E-09-DR-A-1909 P01	Building E Roof GA Plan	14.02.2024

3117-ACA-E-ZZ-DR-A-2903	P01	Building E GA Elevations	14.02.2024

Building F

3117-ACA-F-00-DR-A-1900	P01	Building F Ground Floor GA Plan	14.02.2024
3117-ACA-F-01-DR-A-1901	P01	Building F Level 01 GA Plan	14.02.2024
3117-ACA-F-02-DR-A-1902	P01	Building F Level 02 GA Plan	14.02.2024
3117-ACA-F-03-DR-A-1903	P01	Building F Level 03 GA Plan	14.02.2024
3117-ACA-F-04-DR-A-1904	P01	Building F Level 04 GA Plan	14.02.2024
3117-ACA-F-05-DR-A-1905	P01	Building F Level 05 GA Plan	14.02.2024
3117-ACA-F-06-DR-A-1906	P01	Building F Level 06 GA Plan	14.02.2024
3117-ACA-F-07-DR-A-1907	P01	Building F Level 07 Penthouse GA Plan	14.02.2024
3117-ACA-F-08-DR-A-1908	P01	Building F Roof GA Plan	14.02.2024
3117-ACA-F-ZZ-DR-A-2904	P01	Building F GA Elevations	14.02.2024

Building G1 & G2

3117-ACA-G-00-DR-A-1900	P01	Building G & G1 Ground Floor GA Plan	14.02.2024
3117-ACA-G-01-DR-A-1901	P01	Building G & G1 Level 01 GA Plan	14.02.2024
3117-ACA-G-02-DR-A-1902	P01	Building G & G1 Level 02 GA Plan	14.02.2024
3117-ACA-G-03-DR-A-1903	P01	Building G & G1 Level 03 GA Plan	14.02.2024
3117-ACA-G-04-DR-A-1904	P01	Building G & G1 Level 04 GA Plan	14.02.2024
3117-ACA-G-05-DR-A-1905	P01	Building G & G1 Level 05 GA Plan	14.02.2024
3117-ACA-G-06-DR-A-1906	P01	Building G & G1 Level 06 GA Plan	14.02.2024
3117-ACA-G-07-DR-A-1907	P01	Building G & G1 Level 07 GA Plan	14.02.2024
3117-ACA-G-08-DR-A-1908	P01	Building G & G1 Roof GA Plan	14.02.2024
3117-ACA-G-ZZ-DR-A-2900	P03	Building G & G1 North & South GA Elevations	14.02.2024
3117-ACA-G-ZZ-DR-A-2901	P03	Building G & G1 East & West GA Elevations	14.02.2024

Building H

3117-ACA-H-00-DR-A-1900	P01	Building H Ground Floor GA Plan	14.02.2024
3117-ACA-H-01-DR-A-1901	P01	Building H Level 01 GA Plan	14.02.2024
3117-ACA-H-02-DR-A-1902	P01	Building H Level 02 GA Plan	14.02.2024
3117-ACA-H-03-DR-A-1903	P01	Building H Level 03 GA Plan	14.02.2024
3117-ACA-H-04-DR-A-1904	P01	Building H Level 04 GA Plan	14.02.2024
3117-ACA-H-05-DR-A-1905	P01	Building H Level 05 GA Plan	14.02.2024
3117-ACA-H-06-DR-A-1906	P01	Building H Level 06 GA Plan	14.02.2024
3117-ACA-H-07-DR-A-1907	P01	Building H Roof GA Plan	14.02.2024
3117-ACA-H-ZZ-DR-A-2902	P03	Building H GA Elevations	14.02.2024

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

02. Amount of Development

The development hereby approved shall not exceed the following:-

i) 587 residential dwellings (class C3); and

ii) 2,163sqm of flexible Class E (a, b, c, d, f & g) floorspace, including a Yacht Facility of not more than 100sqm; and

iii) 381 residential and 26 commercial parking spaces including up to 12 car club spaces and spaces for visitors; and

iv) 596 cycle parking spaces.

Reason: *In the interests of clarity, to ensure that the amount of development is in accordance with this planning permission and to ensure that parking provisions are included.*

03. Enabling Works

The development shall be carried out in accordance with the details of the enabling works (replacement of sheet piling and construction of river wall; marine piling; boundary retaining walls, fencing/barriers; excavation remediation re-profiling of ground levels and piling mat; diversion of services, ducting and primary drainage and base layers of spine road to assist in clean access during construction phase) in the Document 'Discharge of Planning Condition 3 of AWDM/1497/17' by HOP Engineers dated 17th August 2018, Reference 14576-HOP-EN-XX-RP-S-5003, which was approved by the Local Planning Authority on 15 November 2018 under application reference AWDM/1497/17, unless otherwise first approved in writing by the Local Planning Authority.

Reason: *To ensure that the proposed development is satisfactorily provided with required infrastructure in accordance with paragraph 156 of the National Planning Policy Framework.*

04. Archaeology

The development shall be carried out in accordance with:

i) the Overarching Archaeological Scheme of Investigation Plan by WYG Ltd. September 2018, reference A110020, which was approved by the Local Planning Authority on 15 November 2018 under application reference AWDM/1497/17, and

ii) Overarching Written Scheme of Investigation report by WYG, received on 4th February 2019 Reference A110020, and

iii) Geo-archaeological Borehole Investigation Report by ASE received on 4th February 2019, Reference 2019050, and

iv) Geo-archaeological & Archaeological Watching Brief Report by ASE received on 4th February 2019, Reference 2019314,

as approved by the Local Planning Authority on 14 April 2020 under application reference AWDM/0205/19, unless otherwise first approved in writing by the Local Planning Authority.

Reason: *To ensure appropriate investigation and recording of archaeological heritage assets on the site prior to commencement of new building works in accordance with the Adur Local Plan 2017 Policy 16 and the National Planning Policy Framework paragraphs 135, 141.*

05. Construction Management Plan

i) Phase 1 development works shall only be carried out in accordance with the Construction Management Plan - Phase 1 Only by HG Construction 001 which was approved on 23rd June 2022 under Planning Reference AWDM/1558/21.

ii) No development of any other phase shall take place until a Construction Management Plan for each such 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. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

a) the anticipated number, frequency and types of vehicles used during construction;
b) the method of access and routing of vehicles during construction;
c) the parking of vehicles by site operatives and visitors;
d) the loading and unloading of plant, materials and waste;
e) the storage of plant and materials used in construction of the development;
f) the erection and maintenance of security hoarding;
g) 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);
h) details of public engagement both prior to and during construction works including neighbouring and nearby residents (including those at Shoreham Beach), businesses and other occupiers.

Reason: *In the interests of highway safety and the amenities of the area.*

06. Phasing Programme

The development shall be carried out in accordance with the Site Wide Phasing Plan REV02, which was approved on 28th July 2023 under Planning Reference AWDM/1896/21, unless the Local Planning Authority gives prior written approval for any variation.

Reason: *To ensure the comprehensive phased development of the site in accordance with the general and site specific policies set out in the Adur District Local Plan 2017 and Shoreham Harbour Joint Area Action Plan 2019.*

07. Construction Works - Hours

Demolition and construction works shall not take place outside 08.00 hours to 18.00 hours Mondays to Fridays and 09.00 hours to 14.30 hours on Saturday. There will be no construction on Sundays or Bank Holidays.

Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The

contractor shall notify the local residents in writing at least three days before any such works.

Reason: *To safeguard the residential amenity of the area in accordance with Policy 19 of the Adur Local Plan.*

08. Surface Water Drainage

A) No building shall be occupied until the complete surface water drainage system serving that building has been implemented in accordance with the details approved on 9th April 20202 under planning reference AWDM/0255/19, including the document SW Drainage July 2019 Addendum. HOP Consultants Ref: 14576-HOP-EN-XX-RP-S-5003A (dated 18th July 2019), unless the Local Planning Authority gives prior written approval for any variation.

B) Immediately following implementation of the approved surface water drainage system and
(i) within 30 days of the occupation in the case of Phase 1 and;
(ii) prior to occupation of each subsequent phase of the development,
as-built drawings of the implemented scheme together with a completion report prepared by an independent engineer that confirms that the scheme was built in accordance with the approved details and is fit for purpose. The drainage system shall thereafter be maintained in perpetuity.

Reason: *To ensure that the phases of the development are each satisfactorily drained in accordance with Policy 36 of the Adur Local Plan 2017.*

09. Foul and Surface Water Sewers

No building shall be occupied until the complete means of foul and surface water sewerage disposal have been implemented in accordance with the details and timetable approved on 16th December 2020 under planning reference AWDM/0841/20 including the document FW Drainage Addendum Information HOP Consultants Ref: 14576-HOP-EN-XX-RP-S-5003A (dated September 2020), unless the Local Planning Authority gives prior written approval for any variation.

Reason: *To ensure that the proposed development is satisfactorily drained.*

10. Site Remediation

The development shall be carried out in accordance with the following Contamination Assessment and remediation methods:

i) Contamination. HOP Consultants, dated January 2019. Reference: 14576-HOP-EN-XX-RP-S-5003;
ii) Appendix i: Review of Previous Reports and Supplementary Phase II Exploratory Investigation dated 30th June 2015;
iii) Appendix ii: Dwg.14576-HOP-EN-XX-DR-S-0103 Rev P1 Contamination Summary P1;

iv) Remediation Method Statement. Geodyne Consultants, dated 30th May 2019 Reference: 31149 Shoreham RM;

which were approved by the Local Planning Authority on 9 April 2020 under application reference AWDM/0255/19,

and in respect of the Phase 1 development:

v) the GESL Verification Report Version 1.1 and associated Verification Reports 1-8, approved by the Local Planning Authority on 18 July 2023 under application reference AWDM/0637/21,

unless the Local Planning Authority gives prior written approval for any variation.

All remediation works shall be fully completed and all remaining verification reports shall have been submitted to and approved in writing by the Local Planning Authority prior to the occupation of each phase.

Reason: *To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 34 of the Adur Local Plan. These details are required prior to commencement in order that any changes to satisfy this condition are incorporated into the development before the design is too advanced to make changes.*

11. Piling Methods

Any foundation design and construction using penetrative methods shall only be carried out in accordance with the details contained in the following:

i) Penetrative Piling by HOP Consultants dated January 2019 Reference: 14576-HOP-EN-XX-RP-S-5004;
ii) Penetrative Piling. Foundation Works Risk Assessment by HOP Consultants, dated October 2019, Reference 14576/01/HOP/RPT/01;
iii) Groundwater Treatment EPR/MB3791WC/A001 by OGI Consultants, dated 17th February 2020. Ref: J19-707-GW Treatment;
iv) Groundwater Monitoring Report by OGI Consultants, dated 2nd July 2019. Reference J19-707 004R-Rev 0;

which were approved by the Local Planning Authority on 9 April 2020 under application reference AWDM/0255/19, unless the Local Planning Authority gives prior written approval for any variation.

Reason: *To prevent development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution in accordance with the National Planning Policy Framework. Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising*

contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

12. Sustainability - Energy

i) The Phase 1 development shall be completed in accordance with the Revised Permitted Energy Strategy Revision 2, dated 13 November 2020 by Couch Perry Wilkes, as updated by the Calford Seaden Document Titled: Response to Condition 12 Document REV 00 Dated 04.07.21 prior to its occupation.

ii) Later phases of the development shall be completed in accordance with the Energy & Sustainability Statement Revision 02 (L220039), dated 27th July 2022 by Calford Seaden, prior to their occupation. All phases shall incorporate the sustainable energy and heat management measures described in these documents, including:

a) Energy efficient building fabric;
b) LED internal & external lighting;
c) Provision of Solar panels;
d) Mechanical Ventilation with Heat Recovery System (MVHR), with summer bypass;
e) Building Energy Management Systems;

unless the Local Planning Authority give prior written approval for any variation.

iii) Written confirmation, including independent professional verification, shall be submitted to and approved in writing by the Local Planning Authority, within 3 months of the first occupation of each phase of the development, (or such other time as shall first be agreed in writing by the Local Planning Authority), to confirm that these measures have achieved the target CO2 reduction below the baseline model including renewable energy, as identified in the respective Revised Permitted Energy Strategy and Energy Statement. Each verification document shall include any proposed and timetabled remedial measures if these targets have not been met in a phase, in which event the remedial measures thereby approved shall then be implemented in accordance with that timetable.

Reason: *In accordance with the submitted application, to ensure that the development is sustainable and makes efficient use of energy, water and materials to achieve CO2 reductions having regard to the National Planning Policy Framework and policies 18 & 19 of the Adur Local Plan and SH1 of the Shoreham Harbour Joint Area Action Plan 2019.*

13. Sustainability - Recycling and Waste

Prior to any phase of the development coming into use the communal waste and recycling areas for that phase as shown on the approved plans will be made

permanently available for use by residents and arrangements made for waste collection and clearance.

Reason: *In the interests of Highway safety and neighbour amenity.*

14. Sustainability - Water

The development will be required to meet the optional water efficiency requirement of 110 litres per person per day as set out in Part G2 of the Building Regulations.

i) Development of Phase 1 shall fully accord with the Water Efficiency Calculator 20-01-11 which was approved on 12th February 2024 under Planning Reference AWDM/0182/22 (and is listed under Informative 3 of this notice of approval), and

ii) No internal fit-out works, excluding Enabling Works for other phases shall commence until details of the developers approach to meeting this water efficiency requirement have been submitted to and approved in writing by the Local Planning Authority and shall be fully implemented in the development,

unless the Local Planning Authority gives prior written approval for any variation.

Reason: *To comply with Policy 18 of the Adur Local Plan and Policy SH1 of the Shoreham Harbour Joint Area Action Plan, 2019.*

15. Materials and Details

i) Development of Phase 1 shall fully accord with the design details and materials which were approved on 12th February 2024 under Planning Reference AWDM/0182/22 (and are listed under Informative 3 of this notice of approval).

ii) No facade or final ground-surfacing works, excluding Enabling Works, shall take place for any other phase until the following details for that phase have been submitted to and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:

a) particulars and samples of all materials to be used on all external faces of the building (including annotated drawings to identify where these are used);
b) details of all elevations to show typical details of all external components including details of drainage;
c) details of the balconies (including 1:20 scale sectional drawing, RAL colour, finish and glazing details) and wind mitigation measures including details of drainage;
d) details of ground floor elevations including entrances;

e) details of escape doors, gates, doors, bin storage entrance and bicycle storage entrance;
f) details of soffits, handrails and balustrades;
g) details of ground level surfaces including materials to be used;
h) details of external lighting attached to the building including anti-collision lights, lighting to the soffits and lighting to pedestrian routes;
i) details of plant and ductwork to serve the commercial uses;
j) details of ventilation and air-conditioning for the commercial uses;

Reason: *To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the policy 19 of the Adur Local Plan 2017.*

16. Landscaping

i) Development of Phase 1 shall fully accord with the hard and soft landscaping details and materials which were approved on 12th February 2024 under Planning Reference AWDM/0182/22 (and are listed under Informative 3 of this notice of approval).

ii) Prior to the commencement of any landscape or public realm works for any other phase, excluding Enabling Works, details of the landscaping for that phase shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

a) Details of materials;
b) Street furniture, and lighting and any play equipment;
c) Planters, tree pits and planting;
d) A timetable for the implementation of the hard and soft landscaping;
e) A maintenance plan to ensure establishment of the soft landscaping.

Development shall thereafter be carried out, and the planting maintained, in accordance with the approved details and timetable.

Reason: *To protect and enhance the character of the site and the area and to ensure that its appearance is satisfactory.*

17. Travel Plan

No phase of the development shall be first occupied until an up to date Travel Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The 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 encourage and promote sustainable transport.*

18. Parking and Serving

No phase of the development shall be first occupied until:

i) a Servicing Management Plan and;
ii) a Car Parks Management Plan

for that phase have been submitted and approved in writing by the Local Planning Authority. This shall set out the arrangements for the provision of residential and commercial parking to serve each respective development phase, (including any temporary parking arrangements) access arrangements from each of the apartment and commercial blocks and the management of car parking spaces, site servicing and loading and unloading of deliveries associated with the residential and commercial uses. The details thereby approved shall be adhered to in perpetuity.

Reason: *To safeguard the operation of the public highway and to ensure the efficient use of on-site car and vehicle parking.*

19. Parking and Emissions

Prior to the basement car parking being brought into use, a plan shall be submitted to and approved by the Local Planning Authority detailing measures to incorporate facilities for charging plug-in and other ultra-low emission vehicles that will be provided in the public and private parking areas. The approved plans shall be implemented thereafter.

Reason: *In accordance with Paragraph 112 of the National Planning Policy Framework.*

20. Access

No phase of the development shall be first occupied until such time as the vehicular access serving it, has been constructed in accordance with the details indicatively shown on drawing number 5910-GA-003 revision K. Unless the Local Planning Authority gives prior written approval for any variation the provision of advanced stop lines at the A259 Eastern Avenue traffic signals, shall be undertaken in accordance with that drawing prior to the occupation of Phase 2 of the development.

Reason: *In the interests of road safety.*

21. Car Parking Spaces

No phase of the development shall be first occupied until the car parking spaces serving that respective phase have been constructed in accordance with the approved plans. These spaces shall thereafter be retained at all times for their designated use.

Up to 12 parking spaces shall be maintained in perpetuity within the site and be readily available to be used as parking for the Car Club, and there shall be no reduction in this level of provision unless demonstrated to the satisfaction of the Local Authority that it is not supported by demands from residents of the development.

Reason: *To provide car-parking space for the use, including provision for car club vehicles.*

22. Cycle Parking & Storage

No phase of the development shall be first occupied until cycle parking and secure storage serving that respective phase have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

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

23. Noise and Vibration

i) The proposed commercial units sharing a party element with residential premises shall be designed and constructed to provide resistance to the transmission of sound. The sound insulation shall be sufficient to ensure that NR25 is not exceeded in the proposed residential premises due to noise from the neighbouring commercial premises and shall be permanently maintained thereafter. A test shall be carried out after completion but prior to occupation of the commercial units to show the criterion above have been met and the results shall be submitted to and approved in writing by the Local Planning Authority.

ii) Phase 1 blocks G/G1 & H shall be completed in accordance with the approved acoustic elevation strategy '3117-ACA-G-ZZ-DR-A-2501_S1-P01_Block G - Acoustic Elevations' and '3117-ACA-H-ZZ-DR-A-2502_S1-P01_Block H - Acoustic Elevations' dated 6th February 2023 and they shall be maintained in accordance with these details throughout the lifetime of the development.

Reason: *To protect the amenities of occupiers of the development in accordance with the following policy of the Local Plan Policy 16.*

24. Flood Risk Mitigation

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:

Finished floor levels are set no lower than the above Ordnance Datum (AOD) identified within the FRA and approved drawings.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/ phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the LPA.

Reason: *The site is located partially within Flood Zones 3 and 2, according to our Flood Map. These indicate a high (0.5% AEP1) and medium (0.1% AEP) probability of tidal flooding, respectively. The 0.5% AEP (1 in 200 year) tidal flood level, including an allowance for climate change, is shown as 5.25m AOD. Furthermore, due to the close proximity of the site to the foreshore the site in a severe storm scenario will be vulnerable to overtopping, white water flooding and windblown debris. The above condition is therefore required in order to reduce the risk of flooding to the proposed development and future occupants.*

25. External Lighting

External lighting in association with this development shall comply with Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light, Obtrusive Light Limitations for Exterior Lighting Installations for Zone E2.

Reason: *To safeguard the residential amenities of the local area in accordance with Policy 19 of the Adur Local Plan.*

26. Class E / Commercial Uses - Limitations

i) The commercial spaces hereby approved shall not be used other than for purposes within Class E Town and Country Planning (Use Classes) Order 1987, (as amended) and notwithstanding the provisions of Schedule 2, Part 3 of the Town And County Planning (General Permitted Development) Order 2015 as amended, or any Order revoking or re-enacting these Orders they shall not be used for any other purposes whatsoever.

ii) Prior to the commencement of any use within Class E for any indoor sport, recreation or fitness or any creche, day nursery or day centre, details shall be submitted to and approved in writing by the Local Planning Authority including hours of use, measures to minimise risk of noise and disturbance to neighbours or occurrence of odours, measures to minimise and control traffic and deliveries and anticipated numbers of staff and visitor and customers. These uses shall only operate in accordance with the details approved by the Local Planning Authority.

Reason: *To provide an appropriate commercial use of the space in accordance with the current application, to add vitality but also to minimise risk of conflict with parking and access interests and neighbouring residents at the site or adjoining sites, in accordance with policies 8 & 28 of the Adur Local Plan 2017 and SH3 & CA7 of the Shoreham Harbour Joint Area Action Plan 2019.*

27. Class E / Commercial Uses - Ventilation & Amplified Sound

i) No kitchen for the preparation of hot food shall be installed in any commercial space unless details of means, plant or equipment for the extraction and disposal of cooking odours have been submitted to and approved in writing by the Local Planning Authority.

ii) No external fixed plant serving any commercial space shall be installed until details have first been submitted to and approved in writing by the Local Planning Authority. The design shall have regard to the principles of BS4142:2014 and aim to achieve a rating level which is no greater -5dB above existing background noise level, shall include any necessary anti-vibration mountings and any necessary odour control.

iii) No amplified sound equipment in or outside the commercial spaces or associated outdoor space shall be used until details have been submitted to and approved in writing by the Local Planning Authority, including proposed hours of its use and to ensure that any sound level measured 1m from any speaker or equipment shall not exceed 75dB(A) LAeq 1 min.

The use of the commercial spaces shall only take place in full on-going conformity with any details approved under this condition.

Reason: *To protect neighbouring residents from odour, noise and vibration in accordance with Policies 15 and 34 of the Adur Local Plan and SH7 and SH9 of the Shoreham Harbour Joint Area Action Plan 2019.*

28. Retail Use - Limitation

No more than a total of 553sqm of the commercial spaces hereby approved shall be used for retail purposes, and this condition shall apply notwithstanding the provisions of the Class E Town and Country Planning (Use Classes) Order 1987, (as amended) and notwithstanding the provisions of Schedule 2, Part 3 of the Town And County Planning (General Permitted Development) Order 2015 as amended, or any Order revoking or re-enacting these Orders.

Reason: *To avoid an excess of retail use to minimise risk of conflict with parking and access interests, in accordance with policies 8 & 28 of the Adur Local Plan 2017 and SH3 & CA7 of the Shoreham Harbour Joint Area Action Plan 2019.*

29. Class E / Commercial Uses - Hours

The commercial units shall only be open for trade in accordance with the following:

Use Classes E(a) Retail / E(c) Services between the hours of 07.00 and 23.00 Monday to Saturday and 09:00 to 23:00 on Sunday. Any unit greater than 280 sq.m will comply with the Sunday Trading Act 1994 (or subsequent replacement) on Sundays.

Use Class E(b) Food & Drink (where consumption of that food and drink is mostly undertaken on the premises) / Public house, wine bars or drinking establishment (sui generis) between the hours of 07.00 and 23.00 Monday to Thursday, 07.00 to 00.00 Friday and Saturday and 09:00 to 23:00 on Sunday. Any unit greater than 280 sq.m will comply with the Sunday Trading Act 1994 (or subsequent replacement) on Sundays.

Use Class E(g)(i) Offices, between the hours of 07.00 and 23.00 Monday to Saturday and 09:00 to 18:00 on Sunday. Any unit greater than 280 sq.m will comply with the Sunday Trading Act 1994 (or subsequent replacement) on Sundays.

Yacht Facility (sui generis) use class between the hours of 07.00 and 23.00 Monday to Saturday and 09:00 to 21:00 on Sundays.

Reason: *To comply with Adur Local Plan Policy 16, and in accordance with the National Planning Policy Framework.*

30. Class E - Commercial Uses: Hours of Deliveries

Deliveries to the commercial units shall only be made between the hours of 07.00 and 20.00 Monday to Saturday and 09.00 to 18.00 on Sundays.

Reason: *To safeguard the residential amenity of the area in accordance with the Adur Local Plan.*

31. Riverside Footpath

Prior to construction of the riverside walkway, details including engineering specifications, shall be submitted to and approved in writing to the Local Planning Authority to demonstrate that it is structurally sound and has an unimpeded width of at least 3m throughout.

Reason: *In order to ensure a suitable standard and resilience of development and to enhance access and recreation value of the river and riverside.*

32. Riverside Access

Prior to first occupation of Phase 2, details of the facilities to maintain Humphries Gap as a Public Hard shall be submitted to the Council for approval. The facilities shall include a ladder (with suitable access through the riverside railings) providing access from Humphreys Gap to the river and a cleat for mooring purposes. Details of any signage to be provided relating to the use of said facilities shall also be provided. The facilities shall be provided prior to occupation of 75% of dwellings in Phase 3. The facilities will be maintained and made available for public use at all times thereafter.

Reason: *To enhance access and recreation value of the river and riverside.*

33. Pontoons & Management

Prior to occupation of the last dwelling the pontoons shown on the drawing shall be provided and made available for use in accordance with the Pontoon Management Plan (PMP) that shall be submitted to and agreed in writing by the Council. The PMP shall include the following:

a. Access to the pontoons, including those arriving or leaving via Humphrey's Gap, and the riverside path; and
b. Details of public access; and
c. Types of crafts/ vessels that can be accessed via the pontoons; and
d. Hours of operation; and
e. Booking procedure; and
f. General management and safety principles.

Reason: *To enhance access and recreation value of the river and riverside.*

Informatives / Notes to Applicant

01. Legal Agreement

This planning permission is subject to the s.106 legal agreement dated 6th August 2018 and varied by the Deed of Variation dated 6th March 2024 concerning provisions and contributions in relation to matters including affordable housing, highway and transportation measures; car club; health, education, libraries, fire & rescue; open space; site management and car park management; air quality and public art.

02. Comparison of Conditions: Original Permission and s.73 Approval

The following table summarises the planning conditions of the original planning permission AWDM/1497/17 and this s.73 Approval:

Subject	Planning Condition AWDM/1315/22	Planning Condition AWDM/1497/17
Approved Plans	1.	1.
Amount of Development	2.	30.
Enabling Works	3.	3 & 5.
Archaeology	4.	4 & 13.
Construction Management Plan	5.	5 & 7.
Phasing Programme	6.	6.
Construction Works - Hours	7.	33.
Surface Water Drainage	8.	8.
Foul and Surface Water Sewers	9.	9.
Site Remediation	10.	10.
Piling Methods	11.	11.
Sustainability - Energy	12.	12 & 26.

Sustainability- Recycling & Waste	13.	27.
Sustainability - Water	14.	14.
Materials and Details	15.	15.
Landscaping	16.	16.
Travel Plan	17.	17.
Parking and Serving	18.	18 & 22.
Parking and Emissions	19.	19.
Access	20.	20
Car Parking Spaces	21.	21
Cycle Parking & Storage	22.	24.
Noise and Vibration	23.	25.
Flood Risk Mitigation	24.	28.
External Lighting	25.	29.
Class E / Commercial Uses - Limitations	26.	-
Class E / Commercial Uses - Ventilation & Amplified Sound	27.	-
Retail Use - Limitation	28.	30.
Class E / Commercial Uses - Hours	29.	31.
Class E / Commercial Uses – Hours of Deliveries	30.	32.
Riverside Footpath	31.	-
Riverside Access	32.	-
Pontoon & Management	33.	-
Subjects Not Included		
Time Limitation (not required in s.73 approval)	-	2.
Cycle Route (covered in s73 s106 Deed of Variation)	s.106	23.

03. Phase 1 Materials and Landscaping - Conditions 15 (i) and 16(i)

For the purposes of Condition s 15 (i) and 16 (i) at Phase 1 and the access ramp, the list of Drawings Approved under AWDM/0182/21 on 12th February 2024 are:

Condition 14
REV A - WATER EFFICIENCY CALCULATIONS

Conditions 15 and 16
A-6101 S1 REV C06 - EXTERNAL MATERIAL SCHEDULE

E-0100 REV C1 - GROUND FLOOR CONTAINMENT LAYOUT
2639-PH1-DT-20 - LOWER GROUND PODIUM DOOR THRESHOLD TO COMMERCIAL UNITS
A-6303 S1 REV C05 - PHASE 1 EXTERNAL OPENING TYPES 1
2639-PH-DT-06 - ELEVATION OF NORTHERN CAR PARK RAMP
2639-PH1-LA-00 - UNIVERSAL KEY LEGEND FOR HARD & SOFT LAYOUTS AND ALL DETAILED SECTIONS/DRAWINGS

2639-PH1-DT-11 - PAVING BUILD-UPS SHEET 2 OF 2
A-5202 S1 REV C01 - ROOF AND TERRACE JCT 5202
2639-PH1-DT-33 - PODIUM BENCH DETAILS - COMPOSITE DETAIL BENCH IN RESIN OR DECKING
PLANT SCHEDULE - GROUND LEVEL - READ WITH 2639-PH1-PP-01
A-6405 S1 REV C02 - PHASE 1 INTERNAL OPENING TYPES 2
2639-PH1-LA-03 - LANDSCAPE LAYOUT PLAN UPPER ROOFS BLOCK H LEVEL 5
2639-PH1-DT-04 - WESTERN LANE
A-2101 S1 REV C05 - BLOCK G NORTH & EAST GA ELEVATIONS
A-2103 S1 REV C05 - BLOCK H NORTH & EAST GA ELEVATIONS
A-5602 S1 REV C02 - BALCONY JUNCTIONS 5602
2639-PH1-DT-31 - SECTIONAL ELEVATION THROUGH RAISED PLANTER, SEATING & PERGOLA
2639-PH1-DT-72 - GROUND LEVEL - STRUCTURAL TREE PIT DETAIL
A-5104 S1 REV C01 - EXTERNAL WALL JCT 5104
A-4101 S1 REV C02 - EXTERNAL WALL TYPES 1
ME-1000 REV C1 - M&E SITE WIDE SERVICES LAYOUT
2639-PH1-DT-10 - PAVING BUILD-UPS SHEET 1 OF 2
A-6404 S1 REV C02 - PHASE 1 INTERNAL OPENING TYPES 1
2639-PH1-LA-04 - LANDSCAPE LAYOUT PLAN UPPER ROOFS BLOCK G LEVEL 6
A-5101 S1 REV C01 - EXTERNAL WALL JCT 5101
E-0220 REV C02 - GROUND FLOOR LIGHTING LAYOUT
A-6305 S1 REV C04 - BLOCK G CURTAIN WALL TYPES 1
A-2102 S1 REV C05 - BLOCK G SOUTH & WEST GA ELEVATIONS
2639-PH1-LA-01 - LANDSCAPE LAYOUT PLAN GROUND FLOOR GA
2639-PH1-DT-08 - PLANTER W&S OF BLOCK H (OFF ROOF SLAB EXAMPLE)
2639-PH1-DT-16 - GROUND FLOOR SECTIONAL DETAIL CLIMBER DETAILS - BLOCK G & H
A-5201 S1 REV C01 - ROOF AND TERRACE JCT 5201
A-2104 S1 REV C05 - BLOCK H SOUTH & WEST GA ELEVATIONS
2639-PH1-DT-17 - SECTION OF PART M STEP & SEATING UNITS IN PLAZA
A-5102 S1 REV C01 - EXTERNAL WALL JCT 5102
LANDSCAPE MANAGEMENT PLAN PHASE 1
A-6307 S1 REV C02 - BLOCK H CURTAIN WALL TYPES
A-5601 S1 REV C01 - BALCONY JUNCTIONS 5601
Landscape Specification Phase 1. 2639 dated 21-02-2022.
M-0200 REV C01 - GROUND FLOOR MECHANICAL SERVICES LAYOUT
2639-PH1-LA-02 - LANDSCAPE LAYOUT PLAN BLOCK G PODIUM
2639-PH1-PSP-01 - PLANTING PLAN GROUND LEVEL
A-6304 S1 REV C05 - PHASE 1 EXTERNAL OPENING TYPES 2
2639-PH1-DT-09 - STREET TREE PLANTER ABOVE BASEMENT ROOF SLAB
2639-PH1-DT-34 - UPPER ROOF WINDBREAK DETAIL
A-5103 S1 REV C01 - EXTERNAL WALL JCT 5103
2639-PH1-DT-19 - RAILINGS TO STEPS
2639-PH1-DT-32 - PODIUM DETAIL, SECTION THROUGH PERGOLA.

04. Highway Authority - West Sussex County Council

i) Works within the Highway - Implementation Team

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.
https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/

ii) Section 59 of the 1980 Highways Act - Extra-ordinary Traffic

The applicant is advised to enter into a Section 59 Agreement under the 1980 Highways Act, to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The Applicant is advised to contact the Highway Officer (01243 642105) in order to commence this process.

Under the requirements of condition 5 of this permission, the applicant should also liaise with owners and contractors of nearby sites along the A259 Brighton Road, and others close to the site, to ensure that traffic management during the period of development works, is undertaken effectively between these developments.

iii) Temporary Works Required During Construction

The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

iv) Temporary directional signs to major housing developments

The applicant is advised that they must apply and obtain approval from West Sussex County Council as Highway Authority for all temporary directional signs to housing developments that are to be located on the highway. Further details of the process and how to apply are available here:
https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/temporary-development-signs/#overview

v) Provision of Adoptable Highway

If it is the intention of the applicant to offer any of the roads and associated highways infrastructure for adoption under S38 of the Highways Act 1980, the applicant should apply to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the proposed adoptable on-site highway works. The applicant should contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that any works commenced prior to the S38 agreement being in place are undertaken at their own risk.

05. Southern Water

Southern Water has advised that for further advice regarding drainage and water supply please contact Southern Water Developer Services, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel 0330 303 0119) or www.southernwater.co.uk or email developerservices@southernwater.co.uk to discuss the matter prior to commencing the development.

06. South East Power Networks

All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 Avoiding Danger from Underground services. This document is available from local HSE offices. Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG.

07. Environment Agency

Works to the river wall and proposed walkway are likely to require a Flood Risk Activity Permit from the Environment Agency, or variation of an existing permit. The applicant should note that a permit is separate to and in addition to the planning permission granted. The granting of planning permission does not necessarily lead to the granting of a permit. The applicant should contact our National Customer Contact Centre on 03708 506 506 (Mon-Fri 8am - 6pm) or by emailing: enquiries@environment-agency.gov.uk

For any activities (including construction, dredging and removals) below the mean high water springs mark, a marine licence may be required from the Marine Management Organisation (MMO). To contact the MMO please call 0191 376 2791 (9am to 4.30pm Mon - Thurs, 9am to 4pm on Friday).

Basement Car Park: We note that the basement car park is to be split into two units. Any measures to prevent flooding should be built into both units accordingly.

08. Publicly Accessible Public Open Space, Pathways Roadside Amenity

i) Whilst the current planning application shows areas of open space for public use and access, the applicant is reminded of the provisions of Paras 5.1 - 5.5 of the S.106 Agreement, that A Publicly Accessible Public Open Space Plan must be approved in writing with the Local Planning Authority prior to the occupation of each phase; a timetable for delivery of phases of these spaces must also be approved with the Local Planning Authority.

ii) The applicant is recommended and requested to undertake further discussions with neighbouring owners in order to:

- at the Western boundary, in addition to the riverside pathway, to connect other internal pathways between the development and the neighbouring site 69-75 Brighton Road (planning reference AWDM/2039/22), and

- at the eastern boundary with New Wharf, to negotiate for relocation of roadside parking in order to effect an improved roadside setting at the A259 Brighton Road frontage, in accordance with policies of the Shoreham Harbour Regeneration Area Joint Area Action Plan 2019.

Further advice and assistance may be obtained in discussion with the Local Planning Authority.

09. Under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA), consideration has been given to whether the development would lead to likely significant impacts in addition to that of the original approved development reference AWDM/1497/17. Consideration has been given to matters including ecology and nature conservation; landscape and visual effects; transport; heritage; resources; drainage, flooding and ground conditions; noise and vibration; community effects and air quality. Mitigations have been identified by the use of planning conditions including a construction management plan (including traffic management), a landscape scheme, (with Environmental Improvement for biodiversity and Air Quality contributions under a s.106 Agreement); flood-risk management and drainage, including Sustainable Drainage and site management; landscaping and built design, including control of materials, design details and lighting, in order to minimise impacts. Following detailed consideration of the application and submitted information on these matters, it is concluded that the development is unlikely to have significant effects beyond those of the outline permission and no further assessment under the EIA Regulations is considered to be necessary.

10. You are advised to ensure that the development works accord with the Party Wall Act 1996, which set out responsibilities for the undertaking of works at or close to the party wall of any neighbouring owner. Further information can be found at: https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance

11. 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.

Ref: AWDM/1315/22

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).

Ref: AWDM/1315/22