

TOWN AND COUNTRY PLANNING ACT 1990



DECISION NOTICE

Application Ref: AL/70/11/

1 To Addressee

PPC Ltd
Forum House
Stirling Road
Chichester
West Sussex
PO19 7DN

2 Site Address

Woodgate Centre
Oak Tree Lane
Woodgate
PO20 3GU

3 Description of Development

Outline application for demolition of all existing buildings and replacement with 940 square metres of B1 commercial development together with associated service area parking for 40 vehicles and landscaped amenity space. This application is a Departure from the Development Plan.

4 In pursuance of their powers under this Act and related Orders and Regulations the Council PERMIT this development to be carried out in accordance with the application and plan and subject to compliance with the conditions specified.

CONDITION 1 The permission hereby granted is an outline permission under Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 and an application for the approval of the Local Planning Authority to the following matters must be made not later than the expiration of 3 years beginning with the date of this permission:-

- (a) Layout;
- (b) Scale;
- (c) Appearance;
- (d) Landscaping.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- CONDITION 2 The development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- CONDITION 3 The development shall not commence until details of the proposed foul water drainage system have been submitted to and approved by the Local Planning Authority. The design should consider the use of SUDS and include details for management and maintenance. No building shall be occupied until the foul drainage works have been carried out in accordance with the agreed details.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7, GEN9 of the Arun District Local Plan.

- CONDITION 4 The development shall not proceed until details of the proposed surface water drainage system have been submitted to and approved by the Local Planning Authority. Surface water drainage should not increase existing rates and shall be carried out in accordance with such details and in conjunction with the associated building works. No building shall be occupied until the surface water drainage works have been carried out in accordance with the agreed details.

Reason: To ensure that the proposed development is satisfactorily drained in accordance with policies GEN7, GEN9 of the Arun District Local Plan.

- CONDITION 5 No development shall take place until full details of measures for reptile mitigation and conservation have been submitted to and approved in writing by the Local Planning Authority. Mitigation shall be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect reptiles from any harm that might arise from the development.

- CONDITION 6 No development shall take place until Bat Dusk and Dawn Emergence Surveys have been carried out and submitted to, and approved in writing by, the Local Planning Authority. This shall include full details of measures for mitigation and conservation. Mitigation shall be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect bats from any harm that might arise from the development.

- CONDITION 7 No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times; Mon - Fri 08.00 - 18.00, Sat 09.00 - 14.00, nor at any time on Sundays, Bank or Public Holidays.

Reason: To safeguard the amenities of neighbouring properties in accordance with Arun District Local Plan policies GEN7, GEN32.

- CONDITION 8 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 as amended the premises shall be used for Class B1(c) (light industry) only and for no other purpose.

Reason: To enable the Local Planning Authority to control the use of the premises in detail having regard to the amenities of nearby residential properties in accordance with policy GEN7 of the Arun District Local Plan.

- CONDITION 9 No development shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of 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.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

- CONDITION 10 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the proposed building has been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

- CONDITION 11 The building hereby permitted shall not be occupied until space has been laid out within the site in accordance with details approved by the Local Planning Authority for the turning of vehicles clear of the public highway and such space shall not thereafter be used other than as a turning area.

Reason: In the interests of road safety in accordance with policy GEN7 of the Arun District Local Plan.

- CONDITION 12 The development hereby approved shall be carried out in accordance with the following approved plans;

04.2011/01 Location Plan
04.2011/02 Existing Site Plan
04.2011/03 Indicative Site Layout
04.2011/04 Illustrative Section
04.2011/08 Indicative Masterplan

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

CONDITION 13 The details referred to in Condition 1 shall include details of the materials and external finishes to surfaces of roads and footpaths, means of enclosure and parking of vehicles. Development shall not commence until such details have been submitted to, and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority.

Reason: To enable the local planning authority to control the development in details in the interests of visual amenity in accordance with policy GEN7 of the Arun District Local Plan.

CONDITION 14 The use hereby approved shall not be carried out on the site outside the following times; Mon - Fri 08.00 - 18.00, Sat 09.00 - 14.00, nor at any time on Sundays, Bank or Public Holidays.

Reason: To safeguard the amenities of neighbouring properties in accordance with Arun District Local Plan policies GEN7, GEN32.

CONDITION 15 Prior to the commencement of development, a scheme for the surfacing of the access road (including details of surface materials) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall implemented prior to first occupation of the approved building and shall thereafter be permanently maintained.

Reason: In the interests of the visual and residential amenity of the area in accordance with Policy GEN7 of the Arun District Local Plan.

INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN3, GEN6, GEN7

NATIONAL POLICIES: PPS1, PPS4

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

Head of Planning Services
Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

Case Officer: Mr N Crowther

Date of Decision:

2nd November 2011

Date Decision Issued:

3rd November 2011



Karl Roberts
Assistant Director Planning Services &
Housing Strategy

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

NOTES RELATING TO PLANNING APPLICATION TOWN AND COUNTRY PLANNING ACT 1990

APPEALS TO THE SECRETARY OF STATE

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 First Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in case of a householder appeal) of the date of this notice, whichever period expires earlier.

If you want to appeal, then you must do so within 6 months of the date of this notice using a form which you can get from the Secretary of State, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or on line at www.planningportal.gov.uk/pcs

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.

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.

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

If either the local planning authority or the Secretary of State refused 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 Council

(that is, where the land is situated in a National Park, the National Park authority for the Park, or in any other case the district council in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town & Country Planning Act 1990.

Please note that this decision notice only relates to matters under the Planning Acts and does not give consent under any other legislation that may apply to the development. You will need to carry out your own checks to determine whether any other consents or permissions are required. For example, the Building Regulations are likely to apply to most developments, and a Highways Licence may be required from West Sussex County Council for any development within the public highway (including the placing of skips on highway land).