

DECISION NOTICE

Application Ref: CM/16/19/PL

1 To Addressee

ECE Planning Limited
Brooklyn Chambers
11 Goring Road
Worthing
West Sussex
BN12 4AP

2 Site Address

Rudford Industrial Estate, Unit J1, J2 & Z
Ford Road
Ford
BN18 0BF

3 Description of Development

Variation of conditions imposed under CM/1/19/PL relating to conditions 2 -plans condition relating to external appearance & 3-amendment of wording to remove reference to acoustic metal cladding to south elevation.

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 plans and subject to the following conditions.

- 1 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 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

Existing Site Location,
Existing Site Block and Site Layout (PL)001 revA,
Proposed Site Block Plan, Site Layout and Elevation (PL) 005 rev D,
Proposed Floor and Roof Plan (PL) 006 revD,
Proposed Elevations and Section (PL) 007 revD and
The Noise Assessment dated 10-04-2018 by Acoustic Associates.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of the Arun Local Plan.

- 3 The development of the 'longer term measures' as outlined within section 10 of the Noise Assessment accompanying application CM/12/18/PL, ref J2407, dated 10-04-2018 by Acoustic Associates, including but not limited to the new extension covering the existing courtyard area shall be fully implemented before 31-03-2020.

Reason: To protect the amenities of occupiers of adjoining properties in accordance with Arun Local Plan policy DDM1 of Arun Local Plan.

- 4 The noise mitigation measures in section 9 of the Noise Assessment accompanying application CM/12/18/PL, ref J2407, dated 10-04-2018 by Acoustic Associates are being implemented at the moment and shall continue to be implemented and provided and retained in perpetuity, unless other alternative measures are agreed by the Local Planning Authority.

Reason: To protect the amenities of occupiers of adjoining properties in accordance with Arun Local Plan policies DDM1 and QE DM1.

- 5 The guillotine shall only be operated within the hours Mon-Fri 0800-1800, and Saturdays 0800-1300 (not at all on Sundays or Bank Holidays).

Reason: To protect the amenities of occupiers of adjoining properties in accordance with Arun Local Plan policies DDM1 and QE DM1.

- 6 The noise mitigation measures checks to be made by senior management of Austin Divall, around the industrial estate and May Close, referred to in section 9 of the Noise Assessment accompanying application CM/12/18/PL, ref J2407, dated 10-04-2018 by Acoustic Associates, shall be recorded and kept and made available to officers from Arun District Council upon request.

Reason: To protect the amenities of occupiers of adjoining properties in accordance with Arun Local Plan policies DDM1 and QE DM1.

- 7 Where plant and equipment is subject to regular checks, servicing and maintenance to ensure it is operating at optimal conditions, records of these checks shall be kept and made available to officers from Arun District Council upon request.

Reason: To protect the amenities of occupiers of adjoining properties in accordance with Arun Local Plan policies DDM1 and QE DM1.

- 8 Mitigation measures detailed in para 10 of the Noise Assessment accompanying application, CM/12/18/PL ref J2407, dated 10-04-2018 by Acoustic Associates to be installed and checked by an acoustic consultant to ensure that the chosen methods for attenuation achieve the mitigation levels detailed in the report whereby the day time noise level at the nearest residential premises does not exceed 54 dB LAeq and these records shall be submitted to and approved by the Local Planning Authority. If the mitigation measures detailed in the said report fail to secure a reduction in noise levels to the stated limit then further measures shall be implemented with the written agreement of the Local Planning Authority. The approved development shall not be used until the noise limit is met.

Reason: To protect the amenities of occupiers of adjoining properties in accordance with Arun Local Plan policies DDM1 and QE DM1.

- 9 During construction of the new compound construction hours and deliveries should be limited to 08.00 - 18.00 Monday to Friday, 08.00 - 13.00 Saturdays and no construction work on Sundays or Bank Holidays

Reason: To protect the amenities of occupiers of adjoining properties in accordance with Arun Local Plan policies DDM1 and QE DM1.

- 10 With regard to units J1, J2 and Z working hours for welding operations/process shall be 00:00 - 00:00 Monday - Friday and 00:00 - 18:00 Saturday with nothing on a Sunday or Bank Holiday.

With regard to units J1, J2 and Z working hours for all other operations shall be 07:00 - 21:00 Monday - Friday and 07:00 - 18:00 Saturday with nothing on a Sunday or Bank Holiday.

Reason: To protect the amenities of occupiers of adjoining properties in accordance with Arun Local Plan policies DDM1 and QE DM1.

INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. 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.



Neil Crowther
Group Head of Planning

Case Officer: Mrs A Gardner
Decision Issued: **8th August 2019**

Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

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

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 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, and you want to appeal against this planning application decision, 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 you want to appeal against this planning application decision, then you must do so within 28 days of the date of service of the enforcement notice, or within 12 weeks of the date of this notice, whichever period expires earlier.

Otherwise, if you want to appeal against this decision then you must do so within 6 months of the date of this notice.

Appeals must be 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 <http://acp.planninginspectorate.gov.uk>

The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State 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.

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).