

DECISION NOTICE

Application Ref: LU/171/19/PL

1 To Addressee

Marshall Clark
24 Grafton Road
Worthing
West Sussex
BN11 1QP

2 Site Address

1 Lineside Way
Littlehampton
BN17 7EH

3 Description of Development

Variation of condition 4 imposed under LU/2/19/PL relating to hours of operation

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:
Proposed Plans and Elevations 19-01-02A,
Existing Plans and Elevations & Site Location Plans 19-01-01.

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 permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated October 2017 reference 5168 compiled by GTA Civils Ltd.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with policies WDM2 and WDM3 of the Arun Local Plan.

- 4 The development shall be carried out in accordance with the submitted Acoustic Associates Sussex Ltd Noise Assessment BS4142:2014 Assessment of Overnight Operations in Building A Report by: Scott Castle BSc (Hons) CEnv, MCIEH PGDip: Acoustics MIO, Dated 13/09/2019, Project: J2788, Issue 1. At all times overnight operations between the hours of 23:00 to 07:00 hours shall be carried in accordance with the following criteria as outlined in the Report:
- All external doors and windows shall remain closed.
 - No external working or operations shall occur outside of the building.
 - No knocking out of moulds shall take place.
 - External plant, including the cooling tower, the compressor, the dust separators and the external chimney stack shall not be operated.

Reason: In the interests of the residential amenities of adjoining neighbouring properties in accordance with Arun Local Plan policies DDM1, QE SP1 and QE DM1 .

INFORMATIVE:

The Environment Agency recommend that the owner/occupants sign up to the Environment Agency Flood Warning Service and have a flood evacuation plan.

Please note that it is not their role to assess any details on flood evacuation or emergency plans, as they do not carry out these roles during a flood. Their involvement with this development during an emergency will be limited to delivering flood warnings to occupants/ users covered by our flood warning network.

INFORMATIVE:

It is recommended that consideration be given to use of flood mitigation measures to reduce the impact of flooding when it occurs. Flood mitigation measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. More information can be found in the communities and local Government publication 'Improving the flood performance of new buildings' which can be viewed at: <http://www.communities.gov.uk/publications/planningandbuilding/improvingflood>

In order to protect Southern Water apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission. For example: The developer must agree with Southern Water, prior to commencement of the development, the measures to be undertaken to protect the public sewers and water supply main.

INFORMATIVE:

The exact position of the public foul sewer, surface water sewer and water main must be determined on site by the applicant before the layout of the proposed development is finalised.

No excavation, mounding or tree planting should be carried out within 6 metres of the public water main without consent from Southern Water.

No development or new tree planting should be located within 3 metres either side of the external edge of the public foul sewer (300mm).

No development or new tree planting should be located within 3.5 metres either side of the external edge of the public foul sewer (600mm).

No new soakaways should be located within 5 metres of a public sewer.

All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works.

INFORMATIVE:

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".

INFORMATIVE:

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

INFORMATIVE: The future use of the above new space requires closer definition. This will enable assessment against the existing permit and of any consequent variation/other which may therefore prove necessary. Previous discussion with Environmental Health had included the possibility of new thermal sand reclamation plant. It is suggested you clarify your intent with Joanne Lewis before the time of your next inspection (before March 2018).

INFORMATIVE: Re-assessment of the acoustic situation will be required if changes to the building are proposed (this may include, but is not limited to how the building is used, changes to the design and/or material specification, use of internal/external plant, etc.).

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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission 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: **24th October 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).