

TOWN AND COUNTRY PLANNING ACT 1990**DECISION NOTICE****Application Ref: R/252/06/****1 To Addressee**

Rapleys LLP
Maddox House
1 Maddox Street
London
W1S 2PZ

2 Site Address

Rustington Service Station
102 Worthing Road
Rustington

3 Description of Development

Replacement of existing underground tanks and 4 no. existing pumps and islands.

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 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).

CONDITION 2 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved by the Local Planning Authority. That scheme shall include all of the following elements unless specifically excluded, in writing, by the Local Planning Authority.

a) A desk study identifying:
all previous uses
potential contaminants associated with those uses
a conceptual model of the site indicating sources, pathways and receptors
potentially unacceptable risks arising from contamination at the site

b) A site investigation scheme, based on (a) to provide information for an assessment of the risk to all receptors that may be affected, including those off site.

c) The results of the site investigation and risk assessment (b) and a method statement based on those results giving full details of the remediation measures required and how they are to be undertaken.

d) A verification report on completion of the works set out in (c) confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance, further monitoring and reporting.

Any changes to these agreed elements require the express consent of the local planning authority.

Reason: To ensure that the development complies with approved details in the interests of protection of Controlled Waters in accordance with policies ERA5 of the West Sussex Structure Plan and GEN31 of the Arun District Local Plan.

CONDITION 3 No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed.

Reason: To prevent pollution of controlled waters and prevent risk of flooding by ensuring the provision of a satisfactory means of surface water disposal in accordance with policies ERA5 of the West Sussex Structure Plan and GEN31 of the Arun District Local Plan.

CONDITION 4 If during development, any visibly contaminated or odorous material not previously identified is found to be present at the site, must be investigated. The Planning Authority must be informed immediately of the nature and degree of contamination present. The developer shall submit a Method Statement which must detail how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of protection of Controlled Waters in accordance with policies ERA5 of the West Sussex Structure Plan and GEN31 of the Arun District Local Plan.

CONDITION 5 This permission relates to the plans as submitted and amended by substitute plans dated 29-09-2006.

Reason: For the avoidance of doubt.

INFORMATIVE: The applicant should be advised of the requirements within the attached letter from West Sussex County Council Trading Standards

Case Officer: Mr M Porter

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

31st October 2006



Stephen Cantwell
Planning Control Manager

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 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 Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

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 First 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 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 & Country Planning Act 1990.