ADUR DISTRICT COUNCIL

Mr James Breckell
James Breckell Architects
The Adur Business Centre
Little High Street
Shoreham By Sea
BN1 1YR

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1924/19

Details of Development
DEMOLITION OF EXISTING SINGLE STOREY REAR EXTENSION AND CONSTRUCTION OF 3.5 STOREY REAR EXTENSION TO PROVIDE EXTENDED GROUND FLOOR RETAIL FLOORSPACE, PLUS 2NO. STUDIO FLATS AT FIRST FLOOR LEVEL, ONE FLAT INCLUDING REAR BALCONY. CONVERSION OF SECOND FLOOR AND ROOF SPACE OF EXISTING BUILDING TO PROVIDE A FURTHER 2NO. ONE BEDROOM FLATS WITH DORMER WINDOWS TO REAR, ONE FLAT INCLUDING REAR BALCONY AT SECOND FLOOR LEVEL. NEW SHOPFRONT TO INCLUDE SEPARATE ACCESS TO PROPOSED FLATS. STORAGE FOR FLATS TO BE INCLUDED AT GROUND FLOOR LEVEL. RESTORATION OF FRONT ELEVATION OF EXISTING BUILDING INCLUDING NEW SASH WINDOWS. (REVISIONS - REVISED BALCONY DESIGN AND INTRODUCTION OF PHOTOVOLTAIC PANELS ONTO ROOF OF REAR LINK ADDITION)

Location of Development
43 HIGH STREET SHOREHAM-BY-SEA WEST SUSSEX BN43 5DD

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 11th December 2019.

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

G Peck

Gary Peck
Planning Services Manager

Adur District Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Email: planning@adur-worthing.gov.uk
Web: www.adur-worthing.gov.uk

Ref: AWDM/1924/19

13/03/2020

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.

Reference/Drawing Number	Version	Date Rec
PROPOSED EAST & WEST ELEVATIONS	JB4409/planning10B	04.02.2020
PROPOSED SECTION	JB409/planning09B	04.02.2020
PROPOSED FLOOR PLANS	JB409/planning07A	04.02.2020
PROPOSED SITE PLAN	JB409/planning06B	04.02.2020
EXISTING LOCATION & BLOCK PLAN	JB409/planning01A	04.02.2020
PROPOSED LOCATION & BLOCK PLAN	JB409/planning02A	04.02.2020
ENERGY STATEMENT	Falcon/10099889	30.01.2020
SITE SURVEY	JB4409/planning03A	28.01.2020
FLOOR PLANS	JB409/planning04	11.12.2019
EXISTING NORTH & SOUTH ELEVATIONS	JB409/planning05	11.12.2019
PROPOSED SOUTH & NORTH ELEVATIONS	JB409/planning8	11.12.2019
EXISTING EAST FACING SECTION Y Y	JB4409/planning1	11.12.2019

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

02. 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.*

03. No development shall be carried out unless and until a schedule of materials and finishes to be used for the external walls (including windows and doors) and roof of the proposed building has been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved schedule.

Reason: *In the interests of visual amenity and to comply with policy 15 of the Adur Local Plan.*

04. Prior to any development details of all new windows, including replacement windows and the new shopfront, shall be submitted in writing to the Local Planning Authority for approval. Only such details as approved shall be installed.

Reason: *In the interest of the appearance of the conservation area having regard to policy 15 of the Adur Local Plan.*

05. The development shall be completed in accordance with the Acoustic Planning Report dated 28.11.19 and the Overheating Assessment dated 22.11.19 submitted with the original application unless otherwise agreed in writing with the Local Planning Authority first via a written submission.

Reason: *In the interest of occupier's amenity having regard to Adur Local Plan policies 15 and 34.*

06. Prior to any development details of all plant associated with the proposed ventilation equipment and photo voltaics - siting, appearance, noise outputs, shall be submitted in writing to the Local Planning Authority for approval. Only such details as approved shall be installed and retained in good order thereafter.

Reason: *In the interest of the appearance of the conservation area and neighbour amenity having regard to policies 15 and 34 of the Adur Local Plan.*

07. Prior to any development details of the proposed Air Source Heat Pumps - siting, appearance, noise outputs etc., shall be submitted in writing to the Local Planning Authority for approval. Only such details as approved shall be installed and retained thereafter.

Reason: *In the interest of appearance, neighbour amenity and sustainability having regard to Adur Local Plan policies 15 and 34 and the Sustainable Energy Supplementary Planning Document, August 2019.*

08. No development shall commence unless and until a construction/demolition management plan (including storage of construction materials /equipment/ parking/disposal of waste and surplus materials and dust suppression scheme) has been submitted to and agreed by the Local Planning Authority. The construction /demolition shall not be carried out other than in full accordance with any such approval.

Reason: *In the interests of highway safety, the free flow of traffic and to minimise intrusion to residential amenity having regard to policies 15 and 34 of the Adur Local Plan.*

09. Prior to commencement of the development the developer must agree with Southern Water the measures to be undertaken to protect the public sewers via a written submission to the Local Planning Authority. Only such details as agreed shall be implemented.

Reason: *In the interest of amenity having regard to Adur Local Plan policies 15 and 35.*

10. Prior to any development details of a roof for the bin enclosures shall be submitted in writing to the Local Planning Authority for approval. Such details as approved shall be implemented prior to first occupation of any flat and retained thereafter.

Reason: *In the interest of neighbour amenity having regard to policy 15 of the Adur Local Plan.*

11. Prior to any development details of the final design and material of the proposed balconies and privacy screens shall be submitted in writing to the Local Planning Authority. Only such details as approved shall be installed prior to first occupation of any flat and retained thereafter.

Reason: *In the interest of neighbour and visual amenity having regard to policy 15 of the Adur Local Plan.*

12. The development hereby permitted shall not be commenced until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved by the Local Planning Authority and the building shall not be occupied until all drainage works have been carried out in accordance with such details as approved by the Local Planning Authority. There shall be no discharge of contaminated drainage into either ground water or any surface waters whether direct or via soakaways.

Reason: *To ensure adequate drainage and to comply with the National Planning Policy Framework and policy 36 of the Adur Local Plan.*

13. Details of secure, covered cycle parking shall be submitted in writing to the Local Planning Authority for approval. The approved details only shall be provided prior to commencement of use of any of the dwellings hereby approved and shall thereafter be retained permanently solely for such purposes.

Reason: *To encourage and provide for a sustainable non-car mode of transport in compliance with the National Planning Policy Framework and having regard policies 15 and 28 of the Adur Local Plan.*

Informatives / Notes to Applicant

01. 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.

02. A formal application for connection to the public sewerage system is required in order to service this development. Please read Southern Water's New Connections Services Charging Arrangements documents which has now been published and is available to read on Southern Water's website via the following link

    https://beta.southernwater.co.uk/infrastructure-charges.

03. 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, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

04. In approving this development the planning committee resolved that details persuant to condition 8 (Construction Management Plan) must be dealt with by planning committee.

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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 in relation to the same, or substantially the same, development as in the planning application no earlier than 2 years before the date the application was made, the period for receiving a planning appeal is within 28 days of the date on the planning application decision notice or of the date by which the LPA should have decided the application.

However, the LPA may formally decline to determine a retrospective planning application for permission for any development contained within a pre-existing enforcement notice served on or after 6 April 2012, where that notice was issued before the application was received by the LPA (see above). There is no right to make a planning appeal in such circumstances.

Where an enforcement notice was served in relation to the same, or substantially the same, development after the decision notice on the application was issued or after the end of the period the LPA had to determine the application, the period for receiving a planning appeal is within 28 days of the date the enforcement notice was served (unless this would extend the period beyond the normal 12 weeks or 6 months deadline).