Expiry Date - 24/12/2024

Development Control – Delegated Officer Report

Application Number: AWDM/1342/24 **Recommendation – APPROVE**

Site: **Builders Yard Arundel Road Salvington Worthing**

Proposal: **Application for a Lawful Development Certificate for confirmation that building work commenced before 3 year expiry for AWDM/1061/20 (granted 12/10/2021) in accordance with Condition 2 (time limit for commencement) and that boundary treatments to Western and Southern boundaries have been completed as per approved details for Condition 7 of that consent.**

Date of site visit: N/A

Neighbours checked: N/A

Additional neighbour notifications: N/A

Site and Surroundings

The site is located to the south of the A27 (Arundel Road) and was formerly occupied as Stanhope builders yard. The site forms part of a group of buildings located just outside of the designated 'built-up' area of Worthing with access via a section of the old Arundel Road. The South Downs National Park adjoins the north side of the A27.

The site comprises a metal clad building and enclosed area at the rear which includes a partly open wood store building. There is a mature tree on the eastern boundary and an approx. 2-2.5m high wall which runs intermittently across the centre of the site, east to west part of which is the old water tower.

The boundary with Stanhope Lodge is close boarded with trellis above, with mature planting in places. The boundary with the land to the rear comprises approx. 2m high fencing with mature trees/shrubs to the southern boundary.

The applicant uses the site in connection with local woodland management and the storage and natural drying of firewood.

Proposal

Confirmation is sought that development commenced before 12 October 2024 as required by permission AWDM/1061/20 and that the boundary treatments to the West and South Boundaries have been completed as per the details agreed under Condition 7 of the same consent. The applicant seeks confirmation that the implementation of the consent therefore remains lawful.

Relevant Planning History:

AWDM/0793/23 - Approval of Details Reserved by Conditions 1, 2, 3 (materials), 4 (materials for access and footpaths), 5 (Landscaping), 7 (Boundary Treatment), 8 (No windows), 9 (Construction Management Plan), 10 (No drainage onto highway), 11 (Access and parking provided), 12 (Cycle parking),13 (Noise) 14 (Contamination) 15 (Surface Water Drainage) 16 (Wood Yard personal) 17 (Hours of Wood yard) 18 (Refuse facilities) 19 (Foul Sewerage) of AWDM/1061/20 – Approved – 07/05/2024

AWDM/1061/20 - Construction of a terrace comprising of 4no. 3 bedroom cottages, with associated landscaping and parking. Erection of a timber clad barn and parking with separate access and division for a non-mechanised woodyard associated with woodland management – Approved – 12/10/2021

Consultations:

None required

Representations:

N/A

Relevant Planning Policies

National Planning Policy Framework (MHCLG 2024)
National Planning Practice Guidance

Planning Assessment

The application is for a certificate of lawfulness to confirm that works to implement the development approved under application AWDM/1061/20 granted on 12 October 2021, commenced within three years of the grant of permission and for confirmation that the approved boundary treatments (South and West boundaries) under Condition 7 have been completed.

The application is made on the basis that a certificate of lawfulness should be issued as the works constitute implementation of the consent within the relevant 3 year time limit and that the West and South boundary treatments have been completed as approved.

The original consent AWDM/1061/20 was subject to eight pre-commencement conditions: (3 (Materials), 4 (Materials for access and footpaths), 5 (Landscaping), 7 (Boundary Treatment), 9 (Construction Management Plan), 14 (Contamination), 15 (Surface Water Drainage), 19 (Foul Sewerage). As set out under the planning history above, these pre-commencement conditions were approved on 07 May 2024, prior to the commencement of works on site.

Condition 7 approved hedge planting to the south boundary and a reclaimed brick wall to the west boundary.

Evidence to support the Certificate of Lawfulness has been provided in the form of:

1. An email from Tim Clemens of TC Building Control Ltd confirming that excavations for the new barn at this address were completed and inspected on 07 October 2024.
2. A Tax Invoice from Sussex Ready Mix Concrete confirming delivery to the application site on 07 October 2024
3. A Schedule of Works from Abbotts Building Services setting out the proposed works to be carried out for the proposed barn foundations (as confirmed by 1. and 2. above)
4. Photo sheet record of works being undertaken between the dates of Saturday 05 October and Friday 11 October 2024 and photos of the west boundary wall
5. Photos showing cleared and planted south boundary with semi mature Cherry Laurels

The evidence submitted confirms that works were commenced prior to 12 October 2024 and are therefore compliant with the 3 year limit. All pre-commencement conditions had been discharged prior to digging of foundations and concrete pouring on site. The Council is therefore satisfied that at the time the works were undertaken all pre-commencement conditions had been satisfactorily approved and the foundation works are sufficient to confirm commencement of works within the specified time.

The photos submitted also confirm that the South and West boundaries have been completed, as per the details approved on 07 May 2024.

It is therefore considered that the development has commenced and works to implement the development are lawful and that the boundary treatments to the South and West are completed in accordance with the approved details.

Recommendation

APPROVE

Issue a Certificate of Lawfulness.

The information submitted is sufficient to satisfy the Local Planning Authority that the development commenced within three years of the granting of planning permission AWDM/1061/20 and that the South and West boundaries are completed as approved under Condition 7.

Is recommendation contrary to letter(s) of representation? N

Case Officer: Amanda Haslett Date: 13/12/2024

Authorised by: Louise Prew Date: 13/12/2024