ADUR DISTRICT COUNCIL

Mr Matt Bridle
Downsview Associates
Little Acorns
Hampers Lane
Storrington
RH20 3HZ

# PLANNING PERMISSION

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

## APPLICATION NUMBER: AWDM/1297/21

Details of Development
**DEMOLITION OF EXISTING CHALET BUNGALOW AND CONSTRUCTION OF 5 BEDROOM DETACHED PROPERTY WITH REAR BALCONY (SAME DESIGN AS AWDM/0600/21)**

Location of Development
**110 OLD FORT ROAD SHOREHAM-BY-SEA WEST SUSSEX BN43 5HB**

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 20th July 2021.

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
02/12/2021

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

## 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 |
|---|---|---|
| SuDS DRAINAGE MAINTENANCE SCHEDULE A | D2028 | 22.11.2021 |
| PROPOSED DRAINAGE STRATEGY PRELIMINARY SW DESIGN | D2028-PL300 REV A | 22.11.2021 |
| CONSTRUCTION DETAILS | D2028-PL301 REV A | 22.11.2021 |
| EXISTING LAYOUTS & ELEVATIONS | 2021.309.01a | 20.07.2021 |
| PROPOSED LAYOUTS & ELEVATIONS | 2021.309.02a | 20.07.2021 |
| EXISTING LOCATION PLAN | 2021.309.03a | 20.07.2021 |
| PROPOSED BLOCK PLAN | 2021.309.04 REV A | 20.07.2021 |
| FIRST FLOOR FLOOD RISK SKETCH | | 20.07.2021 |
| FLOOD RISK ASSESSMENT | | 20.07.2021 |

**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. The completed building shall be finished with white render and grey cedral cladding with tiles to match existing, unless otherwise approved in writing by the Local Planning Authority.

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

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04. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any Order revoking and re-enacting that Order with or without modification), no windows or other openings (other than hereby approved) shall be formed in the east or west side walls or roofslope of the dwelling.

**Reason**: *To prevent overlooking and to comply with policy 15 of the Adur Local Plan.*

05. The obscurely glazed balcony privacy screens as shown on the approved plans shall be installed prior to the use of the balcony hereby permitted and shall remain in place at all times unless otherwise approved in writing by the Local Planning Authority.

**Reason**: *To safeguard residential amenity and to accord with Policy 15 of the Adur Local Plan.*

06. The first floor window on the east elevation shall be fitted with obscure glazing and be permanently non opening except for the section 1.7 metres above finished floor level. The first floor window on the west elevation shall be non-opening except for the section 1.7 metres above finished floor level.

**Reason**: *In the interest of residential amenity and to accord with Policy 15 of the Adur Local Plan.*

07. No part of the development shall be first occupied until the car parking spaces have been constructed in accordance with the approved plans. These spaces shall thereafter be retained at all times for their designated purpose

**Reason**: *To provide car-parking space for the use having regard to policy 28 of the Adur Local Plan.*

08. No part of the development shall be first occupied until covered and secure cycle storage has been provided and thereafter retained.

**Reason**: *To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.*

09. No part of the development shall be first occupied until an electric vehicle charging space has been provided and it shall remain at all times unless otherwise approved in writing by the Local Planning Authority.

**Reason**: *To provide sustainable travel options in accordance with current sustainable transport policies.*

10. No work for the implementation of the development hereby permitted shall be undertaken on the site other than between the hours of 08:00 - 18:00 Mon -Fri and 09:00 - 13:00 Sat and on Sundays or on Public Holidays no work permitted.

**Reason**: *To safeguard the amenities of the occupiers of neighbouring properties having regard to policies 15 and 34 of the Adur Local Plan.*

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11. The details contained in the Dust Management Plan dated September 2021 received 9th September shall be carried out and adhered to at all times during construction unless otherwise approved in writing by the Local Planning Authority.

    **Reason**: *To safeguard the amenities of the occupiers of the adjacent dwellings and to comply with Policy 15 of the Adur Local Plan.*

12. The surface water drainage system serving the dwelling shall be implemented in accordance with D2028 PL300A Proposed Drainage GA, D2028 PL301A Construction Details. The building shall not be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity.

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

13. Upon completed construction of the surface water drainage system, the owner shall strictly adhere to and implement the recommendation contained within D2028 Drainage Maintenance Schedule A.

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

14. The development hereby permitted shall only be carried out in accordance with the submitted Flood Risk Assessment received 20th July 2021 and the mitigation measures contained within it.

    **Reason**: *To reduce the risk of flooding and in the interests of the safety of the occupants having regard to the National Planning Policy Framework and policy 36 of the Adur Local Plan.*

15. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, as amended, (or any order revoking and re-enacting that Order with or without modification), the proposed dwelling shall not be extended or altered by means of any development as set out within Classes A, AA, B, C and E of Part 1 of the Schedule to that Order.

    **Reason**: *In the interests of amenity and the environment having regard to the nature of the site and policy 15 of the Adur Local Plan.*

**Informatives / Notes to Applicant**

01. 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.

02. 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 contact Southern Water Developer Services, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel 0330 303 0119) or www.southernwater.co.uk or email developerservices@southernwater.co.uk

03. A formal application for connection to the public sewerage system is required in order to service this development. The applicant is advised to contact Southern Water Developer Services, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel 0330 303 0119) or www.southernwater.co.uk or email developerservices@southernwater.co.uk

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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.

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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).