ADUR DISTRICT COUNCIL

Mr Jason Chandler
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Unit 2A
Capital House
4 Jubilee Way
Faversham
ME13 8GD

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0753/23

Details of Development
REFURBISHMENT TO THE GROUND FLOOR OF THE BUILDING. GROUND FLOOR EXTENSION TO THE REAR PROVIDING A SINGLE BEDROOM APARTMENT. EXTENSION AND REFURBISHMENT WORKS TO FIRST FLOOR CREATING A 2 BED MAISONETTE ON FIRST AND SECOND FLOORS. REAR TERRACES AT FIRST AND SECOND FLOOR.

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 31st May 2023.

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
19/10/2023

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 GROUND & FIRST FLOOR PLANS	22-1301_10 E	12.09.2023
PROPOSED SECOND FLOOR & ROOF PLANS	22-1301_11 D	12.09.2023
PROPOSED REAR ELEVATION (NORTH)	22-1301_13 C	12.09.2023
PROPOSED WEST ELEVATION/SECTION A-A	22-1301_14 D	12.09.2023
PROPOSED SECTION B-B	22-1301_15 C	12.09.2023
DAS	22_1301	12.09.2023
EXISTING SITE & LOCATION PLAN	22/1301-01 B	31.05.2023
PROPOSED SITE & LOCATION PLAN	22/1301-03 B	31.05.2023
EXISTING GROUND & 1ST FLOOR PLAN	22/1301_04 A	31.05.2023
EXISTING 2ND FLOOR & ROOF PLAN	22-1301_05	31.05.2023
EXISTING ELEVATIONS	22/1301_06 A	31.05.2023
PROPOSED FRONT ELEVATION (SOUTH)	22/1301_12 C	31.05.2023
HERITAGE IMPACT ASSESSMENT		31.05.2023
FRA		31.05.2023
AIR QUALITY ASSESSMENT	28398-RP-SU-001	31.05.2023
AIR QUALITY STATEMENT	22-1301	31.05.2023
HERITAGE STATEMENT	LC0568A	31.05.2023

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 and doors, 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 not be occupied until the recommendations and acoustic protection measures set out in the Anderson Acoustics Planning Noise Assessment dated September 2023 have been fully implemented.

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

06. Prior to their installation, details of all plant associated with the proposed ventilation equipment, photo voltaic panels and air source heat pumps, including siting, appearance, noise outputs and method of installation shall be submitted in writing to the Local Planning Authority for approval. Only such details as approved shall be installed prior to first occupation 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. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Plan and shall be adhered to throughout the construction period. The Plan shall provide for:-

(i) the parking of vehicles of site operatives and visitors;
(ii) loading and unloading of plant and materials;
(iii) storage of plant and materials used in constructing the development;
(iv) the erection and maintenance of security hoarding;
(v) wheel-washing facilities;
(vi) measures to control the emission of dust and dirt during construction;
(vii) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
(viii) hours of working, which shall be limited to the hours of 8am-6pm Monday to Friday and 08.30 - 1pm on Saturdays only

Reason: *In the interests of highway safety and amenity having regard to policies 28 and 34 of the Adur Local Plan.*

08. 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 policy 29 of the Adur Local Plan.*

09. Prior to the commencement of 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 and retained thereafter.

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

10. 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.*

11. 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.*

12. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority

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

13. The development shall be carried out in accordance with the submitted Flood Risk Assessment (dated May 2023) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 5.811 metres above Ordnance Datum (AOD).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements.

The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: *To reduce the risk of flooding to the proposed development and future occupants having regard to policy 36 of the Adur Local Plan and the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change.*

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. The air source heat pump must comply with the IoA and CIEH guidance: 'Heat Pumps, Professional Advice note (available at https://www.ioa.org.uk/heat-pump-briefing-notes-calculation-sheet-ioa-cieh).

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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://www.gov.uk/appeal-planning-decision.

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).