Adur District Council

Development Management

Stephen Bromley Associates
5 West Street
Shoreham-by-Sea
West Sussex
BN43 5WF

PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)(ENGLAND) ORDER 2015

APPLICATION NUMBER: AWDM/1359/15

Details of Development
APPLICATION TO VARY CONDITIONS OF AWDM/0842/14 INVOLVING THE PROVISION OF AN AIR CONDITIONING UNIT AND EXTRACTOR FAN IN THE REAR YARD, AN ADDITIONAL 30 MINUTES OF USE OF SOUND AMPLIFICATION EQUIPMENT TO ACCOUNT FOR THE TIMING OF FRIDAY AFTERNOON PRAYER IN SUMMER, AND DETAIL OF FLOOD PROOFING/NON-CAR TRAVEL INITIATIVES

Location of Development
378 - 380 BRIGHTON ROAD SHOREHAM-BY-SEA WEST SUSSEX BN43 6RE

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 22nd September 2015.

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

G Peck

Planning Services Manager
24/11/2015

PTO

Adur District Council
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SCHEDULE

Conditions

01. 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.*

02. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:-

Drawing titled 1:500 date received 12-11-2015
Drawing No. 10305-1B titled Proposed Change of use A1 to D1 date received 12-11-2015
Document titled 60cm Chimney Extractor LAM2401 HJA2480 LAMONA User & Installation Guide date valid 22-09-2015
Document titled Air Conditioning Product Information PKA-RP50HAL: Power Inverter Heat Pump P410A Wall Mounted System Mitsubishi Electric date valid 22-09-2015

And the following documents approved under planning permission AWDM/0842/14:-

Document titled Site: 378-380 Brighton Road, Shoreham by Sea, BN43 Requirement: Specification of a separating floor construction to achieve DnTw+Ctr50dB by Acoustic Associates dated 1st April 2015, date received 09-04-2015
Document titled Sound Insulation Prediction (V8.0.0) date received 09-04-2015

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

03. The use hereby permitted shall not commence unless and until all works which form part of the sound insulation scheme submitted under planning permission AWDM/0842/14, for protecting the upper floor residential unit from noise has been completed. The scheme shall incorporate both airborne and structure borne noise through the entire structure (including walls, ceilings, doors and windows) and be designed to achieve a minimum airborne sound insulation value of 50dB (DnTw+Ctr dB). It shall also achieve at least the Good Standard contained in BS8233:1999 within the adjacent residential units. Following completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and achieve the specified criteria. Should this test show that the criteria has not been complied with and notwithstanding the development hereby approved, a further scheme of attenuation works capable of achieving the criteria shall be submitted to and agreed by the Local Planning Authority and completed within 2 months of the installation.

The sound insulation scheme so completed shall thereafter be retained in situ at all times and maintained in a condition to achieve the specified criteria.

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For the avoidance of doubt, the sound insulation scheme submitted under planning permission AWDM/0842/14 consists of:-

i) document titled Site: 378-380 Brighton Road, Shoreham by Sea, BN43 Requirement: Specification of a separating floor construction to achieve DnTw+Ctr50dB by Acoustic Associates dated 1st April 2015, date received 09-04-2015
ii) document titled Sound Insulation Prediction (V8.0.0) date received 09-04-2015

Reason: *In the interests of safeguarding the residential amenities of adjacent neighbours to comply with the core planning principle of the National Planning Policy Framework related to residential amenities.*

04. Prior to the occupation for the use hereby approved the applicant shall have registered with the Environment Agency Floodline Warnings Direct and shall remain registered for the perpetuity of their occupation of the building (378-380 Brighton Road).

Reason: *In the interest of human safety to mitigate the risk of flooding to a development situated within Flood Risk Zone 2 in accordance with National Planning Policy Framework.*

05. Prior to occupation of the building for the use hereby approved the applicant shall display up-to-date bus and train timetables inside the premises in a location visible to users of the hall and these shall remain at all times.

Reason: *To encourage and promote alternative travel options to the use of the private car and to ensure the delivery of sustainable development in accordance with National Planning Policy Framework.*

06. The hall hereby approved shall only be used between the hours of 9.00 am and 10.30 pm of the same day, every day.

Reason: *In the interests of safeguarding the residential amenities of adjacent neighbours to comply with the core planning principle of the National Planning Policy Framework related to residential amenities.*

07. All arrival, reception or dispatch of deliveries shall take place from Brighton Road and not through the rear yard.

Reason: *In the interests of safeguarding the residential amenities of adjacent neighbours to comply with the core planning principle of the National Planning Policy Framework related to residential amenities.*

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08. No sound amplification shall be used inside the premises except between 12.30pm-2.00pm of the same day each Friday, during Eid prayers (9am-11am of the same day, each day) and for funeral prayers. All doors and windows shall be closed at times when the sound amplification equipment is in use. No sound amplification equipment shall be used outside of the premises at any time. No music shall be played inside and outside of the premises at any time.

Reason: *In the interests of safeguarding the residential amenities of adjacent neighbours to comply with the core planning principle of the National Planning Policy Framework related to residential amenities.*

09. No more than 60 individuals shall be present on the site at any time.

Reason: *In the interests of safeguarding the residential amenities of adjacent neighbours to comply with the core planning principle of the National Planning Policy Framework related to residential amenities.*

10. Excluding bin storage, no activity or other type of storage associated with the use hereby permitted shall take place in the rear yard.

Reason: *In the interests of safeguarding the residential amenities of adjacent neighbours to comply with the core planning principle of the National Planning Policy Framework related to residential amenities.*

11. The air conditioning unit and external mechanical ventilation system hereby approved shall not be provided unless in strict accordance with the approved plans, with the air conditioning unit not provided unless inside the associated store cupboard. Thereafter the equipment shall be maintained to the approved manufacturer's specifications to achieve the specified criteria.

Reason: *In the interests of safeguarding the residential amenities of adjacent neighbours to comply with the core planning principle of the National Planning Policy Framework related to residential amenities.*

12. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no air conditioning and/or external mechanical ventilation system (other than approved) shall be installed, erected or replaced on the application premises.

Reason: *In the interests of safeguarding the residential amenities of adjacent neighbours to comply with the core planning principle of the National Planning Policy Framework related to residential amenities.*

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13. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the premises shall be used only as a place of worship and day care centre for the ethnic Bangladeshi-Muslim community within Use Class D1 as defined in the Town and Country Planning (Use Classes) Order 1987 or in any equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification.

    Reason: *In the interests of safeguarding the residential amenities of adjacent neighbours to comply with the core planning principle of the National Planning Policy Framework related to residential amenities.*

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.