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Development Control

PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

APPLICATION NUMBER: ADC/0031/07

D M H Stallard
100 Queens Road
Brighton
BN1 3YB

Details of Development

18 THREE-STOREY DWELLING UNITS (16 THREE-BEDROOM TOWNHOUSES WITH INTEGRAL GARAGES AND 2 TWO-BEDROOM FLATS OVER GARAGES) INCLUDING 34 TOTAL CAR PARKING SPACES WITH NEW ACCESS ROADWAY AND CLOSURE OF EXISTING ACCESSES.

Location of Development

SMITHS YARD OLD SHOREHAM ROAD SHOREHAM-BY-SEA WEST SUSSEX BN43 5TF

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 12th February 2007.

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

Your copy of the application, determined as above, is returned herewith for your records.

Peter Davies

Peter Davies
Head of Planning and Community

14/05/2007

PS.

SCHEDULE

Reasons for Granting Permission

01. The proposed development is within the built-up area and would help meet the need for additional housing without detracting from the existing local urban environment. It can take place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detraction from highway safety. It would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AH2, AT12) and the adopted West Sussex Structure Plan 2001-16 (LOC1, NE1-2, CH1, ERA1, DEV1, DEV4-5).

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. No development shall take place until a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 relating to the application site has been completed and the Local Planning Authority has given notification of its approval. The said obligation shall provide contributions of £25,480 towards sustainable transport improvements in the area, £51,237 towards secondary schools infrastructure and £3,558 towards library infrastructure improvements, to be paid to the Local Planning Authority.

Reason: *To contribute to improvements to sustainable transport, schools and library services infrastructure to offset the effects of the travel and infrastructure demands generated by the development hereby permitted.*

03. No development shall take place until details of walls and/or fences have been submitted to and approved in writing by the Local Planning Authority and the building shall not be occupied until such walls and/or fences have been erected.

Reason: *In the interests of amenity and to comply with policy AH2 of the Adur District Local plan and DEV1 of the West Sussex Structure Plan.*

PTO

04. Prior to the commencement of any development, a scheme for the provision and implementation of surface water limitation shall be submitted to and agreed in writing with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the plans and timetable approved by the Local Planning Authority.

Reason: *To prevent the increased risk of flooding in accordance with PPS25.*

05. No development approved by this permission shall commence until plans that show habitable floor levels set a minimum of 5.8m AOD have been submitted to and approved by the Local Planning Authority.

06. No development approved by this planning permission shall be commenced until:-
a) A desktop study has been carried out by a competent person in accordance with B.S.10175:2001 which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced.

b) A site investigation has been designed for the site in accordance with B.S.10175:2001 using the information obtained from desktop study and any diagrammatical representation (Conceptual Model). This should be submitted to, and approved in writing by the Local Planning Authority prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:-
-a risk assessment to be undertaken of the risks to human health, ground and surface waters on and off the site, and the wider environment;
-refinement of the Conceptual Model;and
-the development of a Method Statement detailing the remediation requirements.

c) The site investigation has been undertaken in accordance with details approved by the Local Planning Authority and a risk assessment has been undertaken.

d) A Method Statement detailing the remediation requirements (including measures to minimise the impact on ground and surface waters, using the information obtained from the Site Investigation) has been submitted to the Local Planning Authority. This shall be approved in writing by the Local Planning Authority prior to that remediation being carried out on the site.

The development of the site shall be carried out in accordance with the approved Method Statement.

PTO

Upon completion of the remediation detailed in the Method Statement, a report shall be submitted to the Local Planning Authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post-remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met and future monitoring proposals and reporting shall also be detailed in the report.

Reason: *To safeguard against pollution of controlled waters and risk to public health and safety in compliance with policies AP2 of the Adur District Local Plan and ERA5 of the West Sussex Structure Plan.*

07. If during development, any visibly contaminated or odorous material not previously identified is found to be present at the site, then it must be investigated. The Planning Authority must be informed immediately of the nature and degree of contamination present. The developer shall submit a Method Statement which must detail how this unsuspected contamination shall be dealt with.

Reason: *To ensure that the development complies with approved details in the interests of protection of Controlled Waters.*

08. The method of controlling ground water at the site during construction shall be carried out in accordance with a scheme to be submitted to and agreed in writing by the Planning Authority prior to any development commencing on site.

Reason: *The site lies upon the Chalk and the ground water table will be intersected by footings and trench work. Unless ground water is controlled, it will become contaminated with suspended solids and contaminants (including via the surface water drainage system). In certain circumstances this may require a consent from the Agency, which could necessitate further investigations on behalf of the applicant.*

09. The method of piling foundations for the development shall be carried out in accordance with a scheme to be approved in writing by the Local Planning Authority prior to any development commencing.

Reason: *To prevent the contamination of the underlying aquifer.*

10. The glazing in the buildings hereby permitted shall be installed in accordance with the details submitted in the Noise Assessment dated 22nd January 2007.

Reason: *In the interests of amenity and to accord with Policy AP3 of the Adur District Local Plan.*

PTO

11. The proposed dwellings hereby permitted shall, prior to their occupation, be completed to achieve at least level 3 of the Code for Sustainable Homes in accordance with the details submitted Lo the local Planning Authority on 16th March 2007.

12. The development hereby permitted shall not be commenced until details of the proposed 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 policy AP4 of the Adur District Local Plan and ERA4-5 & DEV3 of the West Sussex Structure Plan.*

13. Prior to commencement of works the applicant/developer shall enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development.

Reason: *To ensure adequate drainage and to comply with Policy AP4 of the Adur District Local Plan.*

14. The buildings shall not be occupied until the parking spaces and access facilities shown on the submitted plans have been provided in accordance with construction details to be submitted to and approved in writing by the Local Planning Authority. The areas of land so provided shall not thereafter be used for any purpose other than access and parking of vehicles incidental to the use of the premises concerned.

Reason: *To ensure adequate provision for parking clear of the highway and to comply with policy AT12 of the Adur District Local Plan and DEV4-5 of the West Sussex Structure Plan.*

15. The garage building shall be used only as a private domestic garage for parking vehicles incidental to the use of the property as a dwelling and for no other purpose.

Reason: *In the interests of residential amenity and to ensure provision of adequate off-street parking space and to comply with policy AH7 of the Adur District Local Plan and DEV5 of the West Sussex Structure Plan.*

PTO

16. No use of the vehicular access shall take place until a satisfactory kerb and pavement crossing between the boundary of the site and the adjoining carriageway has been constructed. The requisite specification can be obtained from the Area Highway Engineer, WSCC Southern Area Office, Clapham Common, Clapham, Worthing, West Sussex BN13 3UR. There shall be no drainage of surface water from the property onto the highway.

Reason: *In the interests of highway safety and to comply with policy AT12 of the Adur District Local Plan and DEV4 of the West Sussex Structure Plan.*

17. The access from the site to the public highway shall be designed, laid out and constructed with kerb radii, visibility splays and sight lines in all respects in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority before any other operation or use authorised by this permission is commenced. Thereafter such visibility splays and sight lines shall be kept clear of any obstruction.

Reason: *In the interests of highway safety and to comply with policy AT12 of the Adur District Local Plan and DEV4 of the West Sussex Structure Plan.*

18. No construction work shall be carried out on site unless there is available within the site in accordance with details approved by the Local Planning Authority provision for temporary parking and loading/unloading of all Contractors vehicles, and for Contractors buildings, plant, and stacks of materials and such provision shall be retained for these purposes throughout the period of work on the site.

Reason: *In the interests of highway safety and amenity and to comply with policy AT12 of the Adur District Local Plan and DEV4-5 of the West Sussex Structure Plan.*

19. The use hereby permitted shall not be carried on until the existing access to the site (other than hereby approved) has been stopped up permanently and obliterated (including any necessary highway kerbing, footway or verge reinstatement) in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: *In the interests of highway safety and to comply with policy AT12 of the Adur District Local Plan and DEV4 of the West Sussex Structure Plan.*

PTO

20. No work shall be carried out on the site unless and until an effective vehicle wheel-cleaning facility has been installed in accordance with details approved by the Local Planning Authority and such facility shall be retained in working order and operated at all times that the premises are in use to ensure that vehicles do not leave the site carrying earth, mud or other material on their wheels in a quantity which causes a nuisance or hazard on the road system in the locality.

Reason: *In the interest of highway safety and to comply with policy AT12 of the Adur District Local Plan and DEV4 of the West Sussex Structure Plan.*

21. No development shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: *In the interests of visual amenity and the environment and to comply with policy AB26-27 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

22. No development shall be carried out unless and until a schedule of materials and finishes to be used for the external walls and roof of the proposed building has been submitted to and approved in writing by the Local Planning Authority.

Reason: *In the interests of visual amenity and to comply with policy AH2 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

23. Lighting of communal areas shall be provided prior to occupation of the dwellings/flats in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: *In the interests of amenity and crime prevention and to comply with policy AP9 of the Adur District Local Plan and DEV1 of the West Sussex Structure Plan.*

PTO

24. No buildings on the site shall be occupied until the associated facilities for storing refuse and waste, including for waste that can be recycled, have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: *In the interests of amenity and to comply with policy DEV1 of the West Sussex Structure Plan and G12 of the West Sussex Waste Local Plan Deposit Draft.*

25. This permission relates to the amended plan received on 4th May 2007 showing the siting of the bin collection point in addition to the plans already submitted.

Reason: *For avoidance of doubt.*