ADUR DISTRICT COUNCIL

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PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0202/24

Details of Development
PART 1-STOREY, PART 2-STOREY ROOFTOP EXTENSION TO DEVELOP 9NO. RESIDENTIAL UNITS; AND ASSOCIATED WORKS

Location of Development
THE HAVEN BRIGHTON ROAD LANCING WEST SUSSEX

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 February 2024.

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
08/08/2024

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
VEHICLE SWEPT PATHS - ESTATE CAR	Drg 01 Rev 01	28.06.2024
PROPOSED SITE PLAN	2156-PA-014 Rev E	22.07.2024
PROPOSED LANDSCAPE PLAN	2156-PA-015 Rev D	22.07.2024
PROPOSED PLANS EXISTING LEVELS	2156-PA-010 Rev B	14.06.2024
PROPOSED PLANS ADDITIONAL FLOORS & ROOF	2156-PA-011 Rev B	14.06.2024
PROPOSED ELEVATIONS	2156-PA-012 Rev B	14.06.2024
LONG ELEVATIONS	2156-PA-013 Rev B	14.06.2024
SIGHTLINES PLAN	Scale 250	14.06.2024
SIGHTLINES SECTION 1	Scale 250	14.06.2024
SIGHTLINES SECTION 2	Scale 250	14.06.2024
NOISE IMPACT ASSESSMENT REPORT	27386.NIA.01.Rev A	22.02.2024
OVERHEATING REPORT Jan 2024	Issue 4	22.02.2024
STATEMENT OF COMMUNITY INVOLVEMENT	December 2023	22.02.2024
TRANSPORT STATEMENT	January 2024	22.02.2024
PLANNING FIRE STATEMENT	Version 4	22.02.2024
BIODIVERSITY NET GAIN ASSESSMENT LETTER	23062 19 January 2024	22.02.2024
BIODIVERSITY METRIC 4.0 - CALCULATION	22 January 2024	22.02.2024
DAYLIGHT & SUNLIGHT ASSESSMENT January 2024	Rev 2	22.02.2024
DRAINAGE STRATEGY	1147-C-RP-0100 P01	22.02.2024
ENERGY & SUSTAINABILITY REPORT	Version 4	22.02.2024

Reference/Drawing Number	Version	Date Rec
AVR REPORT	Part 1	22.02.2024
AVR REPORT	Part 2	22.02.2024
EXTG GROUND FLOOR LEVEL	2156-EX-002 Rev A	22.02.2024
EXTG PLAN LAYOUTS	2156-EX-003 Rev A	22.02.2024
EXISTING ELEVATIONS	2156-EX-004 Rev A	22.02.2024
Daylight Distribution Analysis - Neighbour		29.04.2024
ADDENDUM LETTER TO DSA Dated 26th April 2024	ik/3831	29.04.2024
SITE PHOTOS 1-13	10.04.2024	29.04.2024
Daylight & Sunlight Analysis - Neighbour		29.04.2024
LOCATION & BLOCK PLAN	2156-EX-001 Rev B	29.04.2024
PROPOSED BLOCK PLAN	2156-PA-016 Rev B	29.04.2024

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 development 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. 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. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate, but not necessarily be restricted to the following matters:

- the anticipated number, frequency and types of vehicles used during construction;
- the method of access and routing of vehicles during construction;

- HGV construction traffic routings shall be designed to minimise journey distance through the Councils Air Quality Management Areas (AQMA's);
- the parking of vehicles by site operatives and visitors;
- the loading and unloading of plant, materials and waste;
- the storage of plant and materials used in construction of the development;
- the erection and maintenance of security hoarding;
- a commitment to no burning on site;
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
- methods to control dust from the site;
- a commitment to following BS5228:Code of Practice for noise and vibration control on construction and open sites;
- details of public and neighbour engagement both prior to and during construction works, including details of contact for resident liaison.

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

05. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:

Monday - Friday 08:00 - 18:00 Hours
Saturday 09:00 - 13:00 Hours
Sundays and Bank Holidays no work permitted

Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

Reason: *To safeguard the residential amenity of the area having regard to policy 34 of the Adur Local Plan.*

06. Construction shall not begin until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must prioritise the use of source control Sustainable Drainage Systems (SuDS) in consideration of the Non-Statutory Technical Standards for SuDS and demonstrate no increase in flood risk as a result of the Proposed Development with sufficient supporting evidence provided to support its viability including supporting calculations for the 100% AEP (1 in 1 year), 3.33% AEP (1 in 30 year), 3.33% AEP (1 in 30 year) plus climate change, the 1% AEP (1 in 100 year) and the 1% AEP (1 in 100) plus climate change critical storms. The drainage strategy shall also include details of the proposed site's existing and proposed drainage. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: *To ensure the flood risk is adequately addressed and not increased in accordance with the NPPF and policy 36 of the Adur Local Plan.*

07. The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented
prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

I. a timetable for its implementation;
II. details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located;
III. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.

Reason: *To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with the NPPF and policy 36 of the Adur Local Plan.*

08. Construction of the development shall not commence until details of the proposed means of foul sewerage disposal have been submitted to, and approved in writing by the Local Planning Authority in consultation with Southern Water.

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

09. The development shall not be occupied until the car parking spaces and access facilities have been provided in accordance with the approved plans. 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: *In the interests of amenity and highway safety and having regard to the National Planning Policy Framework and policies 15 and 28 of the Adur Local Plan.*

10. 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 in writing by the Local Planning Authority

Reason: *To provide alternative travel options to the use of the car in accordance with policy 28 of the Adur Local Plan.*

11. The development hereby permitted shall not be occupied until the mitigation measures as set out in the Noise Impact Assessment Report (Report 27386.NIA.01.RevA, dated:23/10/2023) have been provided. Any mechanical ventilation units shall be acoustically treated. The noise level of any ventilation units when in use should not exceed the levels specified in BS8233:2014 and all duct work should be fitted on anti-vibration mounts. Following completion of the scheme, and prior to occupation, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential units from noise.

    Reason: *In the interests of residential amenity and to comply with policies 15 and 34 of the Adur Local Plan.*

12. No works or development shall take place until full details of all hard and soft landscaping works and the proposed times of planting have been approved in writing by the Local Planning Authority and all soft landscape works shall be carried out in accordance with those details and at those times. Any plants which within a period of five years from the time of planting 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 policies 15 and 30 of the Adur Local Plan.*

13. No development, including site works of any description, shall take place on the site unless and until the existing hedges [identified for retention on the approved plan] have been protected in accordance with an arboricultural method statement and tree protection plan (to include protection measures during and after construction and any construction exclusion zones) in accordance with BS5837:2005 which shall have been submitted to and approved in writing by the local planning authority and shall include any proposal for pruning or other preventative works. Within the areas so protected the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon or bonfires take place without he prior written approval of the Local Planning Authority. If any excavations are required in the fenced off areas they shall be undertaken and backfilled only by hand and any tree roots encountered with a diameter of 25 mm or more shall be left unsevered.

    Reason: *To protect the hedges from damage and to comply with policies 15 and 30 of the Adur Local Plan.*

14. No development shall take place until details of the proposed sustainability and energy efficiency measures to be included within the development, including details of the energy efficiency upgrade to the existing building and the resulting benefits for the existing residents, have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to occupation of the new dwellings.

Reason: *In order to achieve a sustainable and energy efficient development having regard to the NPPF and policies 18 and 19 of the Adur Local Plan.*

15. The green roof hereby approved shall be a biodiverse green roof in accordance with the details set out in the Biodiversity Net Gain Assessment by CT Ecology dated 19th January 2024. Final details of the species mix to be provided shall be submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved details.

Reason: *To improve the biodiversity of the site having regard to policy 31 of the Adur Local Plan.*

16. No development shall take place until details of the proposed ecological enhancements to be included within the development have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to occupation of the new dwellings.

Reason: *To improve the biodiversity of the site having regard to policy 31 of the Adur Local Plan.*

17. Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

- Management of any flat/shallow pitched/green roofs on the building which may be attractive to nesting, roosting and "loafing" birds.

The Bird Hazard Management Plan shall be implemented as approved and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

Reason: *It is necessary to manage the flat roofs to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Brighton City Airport.*

18. No PV panels shall be installed on the building until a glint and glare assessment has been submitted to determine the full impact on pilots approaching the nearby airport and air traffic controllers in the ATC tower.

Reason: *To ensure that glint and glare from PV panels do not affect pilots operating in and out of Brighton City Airport.*

Ref: AWDM/0202/24

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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).