Adur District Council

Development Management

Mr Mike Gibson
Eldridge London
17 Calico Row
Plantation Wharf
London
SW11 3TW

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1240/17

Details of Development
DEMOLITION OF EXISTING DWELLING AND REPLACEMENT WITH 3 STOREY 4 BEDROOM DWELLING (INCLUDES LOWERING OF GROUND LEVEL TO FORM LOWER GROUND FLOOR ENTRANCE LEVEL)

Location of Development
16 OLD FORT ROAD SHOREHAM-BY-SEA WEST SUSSEX BN43 5RJ

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 4th September 2017.

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
30/11/2017

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
DRAINAGE STRATEGY	Revision P2	10.11.2017
NORTH ELEVATION - PROPOSED	Drg PL 009 Rev B	28.11.2017
DESIGN AND ACCESS STATEMENT		04.09.2017
FLOOD RISK ASSESSMENT	LDA/FRA/1015/01	04.09.2017
SITE PHOTOGRAPHS - STREET SIDE	Drg PL 016	04.09.2017
SITE PHOTOGRAPHS - BEACH SIDE	Drg PL 017	04.09.2017
PROPOSED MATERIALS	Drg PL 101	04.09.2017
LOCATION PLAN	Drg SD 001	04.09.2017
SITE PLAN - EXISTING	Drg SD 002	04.09.2017
ROOF PLAN - EXISTING	Drg SD 008	04.09.2017
NORTH ELEVATION - EXISTING	Drg SD 009	04.09.2017
SOUTH ELEVATION - EXISTING	Drg SD 010	04.09.2017
EAST ELEVATION - EXISTING	Drg SD 011	04.09.2017
LOCATION PLAN - PROPOSED	Drg PL 001 Rev B	31.10.2017
SITE PLAN - PREVIOUS APPROVAL	Drg PL 002 Rev B	31.10.2017
GROUND FLOOR PREVIOUS APPROVAL	Drg PL 003 Rev C	31.10.2017
1ST/GRND FLOOR MEZZ - PREV APPROVAL	Drg PL 004 Rev B	31.10.2017
1ST/1ST FLOOR MEZZ - PREV APPROVAL	Drg PL 005 Rev B	31.10.2017
2ND/2ND FLOOR MEZZ - PREV APPROVAL	Drg PL 006 Rev B	31.10.2017
WEST ELEVATION - EXISTING	Drg SD 012	04.09.2017
BLOCK ELEVATION - EXISTING	Drg SD 013	04.09.2017

Reference/Drawing Number	Version	Date Rec
ROOF PLAN - PREVIOUS APPROVAL	Drg PL 008 Rev B	31.10.2017
SECTION BB - PREVIOUS APPROVAL	Drg PL 015	31.10.2017
SITE PLAN - PROPOSED	Drg PL 102 Rev A	31.10.2017
G/GM FLOOR PLAN - PROPOSED	Drg PL 103 Rev B	31.10.2017
1ST/GRND FLOOR MEZZ - PROPOSED	Drg PL 104 Rev A	31.10.2017
1ST/1ST FLOOR MEZZ - PROPOSED	Drg PL 105 Rev A	31.10.2017
2ND/2ND FLOOR MEZZ - PROPOSED	Drg PL 106 Rev A	31.10.2017
ROOF PLAN - PROPOSED	Drg PL 108 Rev A	31.10.2017
SECTION BB - PROPOSED	Drg PL 115	31.10.2017
SOUTH ELEVATION - PROPOSED	Drg PL 010 Rev B	27.11.2017
EAST ELEVATION - PROPOSED	Drg PL 011 Rev C	27.11.2017
WEST ELEVATION - PROPOSED	Drg PL 012 Rev C	27.11.2017
BLOCK ELEVATION - PROPOSED	Drg PL 013 Rev B	27.11.2017
SECTION AA - PROPOSED	Drg PL 014 Rev C	27.11.2017

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. Notwithstanding the submitted external materials schedule, no development shall be carried out unless and until samples of materials and finishes to be used for the external walls (including canopies, privacy screens, windows and doors) and roof of the proposed building have been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved samples.

Reason: *In the interests of visual amenity and to comply with saved policy AH2 of the Adur District Local Plan and policy 15 of the submission Adur Local Plan as modified in accordance with the inspectors recommendations.*

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04. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (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, B, C, D 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 saved policy AH2 of the Adur District Local Plan and policy 15 of the submission Adur Local Plan as modified in accordance with the inspectors recommendations.*

05. The development permitted by this planning permission shall be carried out in accordance with the approved Drainage Strategy and SuDS Statement received 10 November 2017 and the approved Flood Risk Assessment (FRA) (Longden Design ref. LDA/FRA/1015/01, dated August 2017) and the following mitigation measures detailed within the FRA, namely:

Finished floor levels to all habitable accommodation (not including sanitary rooms or utility or storage space) are to be set no lower than 6.71mAOD

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing or phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: *To reduce risk of flooding and in the interests of the safety of the occupants having regard to policy 37 of the submission Adur Local Plan as modified in accordance with the inspectors recommendations and the National Planning Policy Framework.*

06. No part of the development shall be first occupied until such time as the existing western vehicular access onto Old Fort Road has been physically closed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

Reason: *In the interests of road safety.*

07. No external plant shall be installed without the prior approval in writing from the local planning authority.

Reason: *To safeguard the amenities of the occupiers of neighbouring properties having regard to saved policy AG1 of the Adur District Local Plan and policy 15 of the submission Adur Local Plan as modified in accordance with the inspectors recommendations.*

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08. All works of demolition and construction, including the use of plant and machinery and any deliveries or collections necessary for implementation of this consent shall be limited to the following times:
Monday Friday 08:00 to 18:00 Hours
Saturday 09:00 to 13:00 Hours
Sundays and Bank/Public Holidays no work permitted.

Reason: *In the interest of protecting residential amenity having regard to saved policy AG1 of the Adur District Local Plan and policy 15 of the submission Adur Local Plan as modified in accordance with the inspectors recommendations.*

09. Construction work shall not commence until a scheme for the protection of the existing neighbouring properties from dust has been submitted to and approved by the local planning authority. The scheme as approved shall be operated at all times during the demolition and construction phases of the development.

Reason: *To safeguard the amenities of the occupiers of neighbouring properties having regard to saved policy AG1 of the Adur District Local Plan and policy 15 of the submission Adur Local Plan as modified in accordance with the inspectors recommendations.*

10. No development shall commence until details of the proposed garden gateway structure and garden screens have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: *In the interests of visual amenity and the environment and to comply with saved policy AH2 of the Adur District Local Plan and policy 15 of the submission Adur Local Plan as modified in accordance with the inspectors recommendations.*

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 developer should be aware that pulverised fuel ash (PFA) has been identified on Shoreham Beach. This is a potentially contaminative material, which can present as grey and ashy in nature or as small, black, coal-like deposits. It is the responsibility of the owner and developer to establish the extent of such material on the site and to carry out appropriate remediation where necessary.

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03. The applicant is advised to contact WSCC Highways (01243 642105 or https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/) to obtain formal approval from the highway authority to carry out the site access works on the public highway.

04. 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, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel 0330 303 0119) or www.southernwater.co.uk

05. 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 discuss the matter further with Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.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 you want to appeal, then you must do so within six months, 12 weeks for a minor commercial (shop front) of the date of this notice. Appeals must be made using a form which you can get from the Secretary of State online at https://acp.planninginspectorate.gov.uk or at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000).

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.

7. 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.

8. Further correspondence about this application should quote the reference number at the top right hand corner of the form.

9. 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.

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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).