Adur District Council

Development Management

Mr Tim Cording
3 Whitethorn Drive
Brighton
BN1 5LH

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1947/17

Details of Development
ERECTION OF NEW END-OF-TERRACE DWELLING ATTACHED TO THE SOUTH SIDE ELEVATION AND IN A SIMILAR STYLE TO NO.10 ORMONDE WAY.

Location of Development
10 ORMONDE WAY SHOREHAM-BY-SEA WEST SUSSEX BN43 5YB

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 27th December 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
21/02/2018

Adur District Council
Adur District Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Fax: 01903 221072 Minicom: 01903 204500
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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 HOUSE	Revision C	31.01.2018
FLOOD RISK ASSESSMENT		27.12.2017

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. Construction work shall not commence until a scheme for protecting the proposed noise sensitive development from noise from the road has been submitted to and approved by the local planning authority. All works, which form part of the scheme, shall be completed before any part of the noise sensitive development is occupied. The scheme shall achieve the indoor ambient noise levels for dwellings specified in BS8233:2014 and have regard to the principles contained within the World Health Organisation community noise guidelines. Following approval and completion of the scheme, a competent person employed by the developer shall undertake a test to demonstrate that the attenuation measures proposed in the scheme meet the specified levels.

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

04. The development hereby permitted shall only be carried out in accordance with the submitted Flood Risk Assessment and the following mitigation measures contained within it:-

- No part of the ground floor of the building shall at any time be used as a habitable accommodation

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

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Reason: *The site is located within fluvial Flood Zone 3 of the Environment Agency Flood Map. This indicates land with a high probability (1 in 200 year) of flooding from the sea, in accordance with the National Planning Practice Guidance (PPG) (ref. 7-065-20140306).*

05. The windows in the south, side elevation of the dwelling hereby permitted shall be obscure-glazed and permanently non-opening and they shall not subsequently be altered in any way.

Reason: *To prevent overlooking and to comply with Policy 15 of the Adur District Local Plan.*

06. Notwithstanding the annotation on the approved plan, the external materials and finishes of the development hereby permitted shall be carried out to match in design, colour and texture those of the existing terrace. No development shall be carried out unless and until a schedule and samples of the materials and finishes to be used for the external walls and roof of the proposed new dwelling and the external alterations to be carried out to the existing dwelling have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall only be completed in accordance with the approved schedule and samples.

Reason: *In the interests of visual amenity and to comply with policy 15 of the Adur District Local Plan.*

07. The windows of the proposed new dwelling and the new windows in the existing dwelling shall match the style, proportions, frame colour, opening pattern and heads/cills of the existing windows in this terrace.

Reason: *In the interests of visual amenity and to comply with policy 15 of the Adur District Local Plan.*

08. No development shall take place unless and until details of all boundary walls and/or fences have been submitted to and approved in writing by the Local Planning Authority and the dwelling shall not be first occupied until such walls and/or fences as have been agreed have been erected and thereafter retained permanently

Reason: *In the interests of amenity and to comply with policy 15 of the Adur District Local Plan.*

09. The development hereby permitted shall not be commenced until details of the proposed surface water drainage and means of disposal have been submitted to and approved by the Local Planning Authority and the dwelling shall not be occupied until all drainage works have been carried out in accordance with such details as approved by the Local Planning Authority.

Reason: *To ensure adequate drainage and to comply with policy 15 of the Adur District Local Plan.*

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10. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order amending revoking and re-enacting that Order with or without modification), the proposed dwelling shall not be extended or externally altered or any incidental building over 5 cubic metres in volume erected within its curtilage.

    Reason: *In the interests of amenity and the environment having regard to saved policy 15 of the Adur District Local Plan.*

11. No development shall take place, including any works of demolition, until a Construction Method Statement and 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 Method Statement and Plan and shall be adhered to throughout the construction period. The Statement and 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 any security hoarding; and
    (v) measures to control the emission of dust and dirt during construction.

    Reason: *In the interests of highway safety and amenity.*

12. No work for the implementation of the development hereby permitted shall be undertaken on the site except between the hours of 08.00 and 18.00 on Monday to Friday and between 08.00 and 13.00 hours on Saturdays. No work shall take place on the site on Sundays or on Bank or Public Holidays.

    Reason: *To safeguard the amenities of the occupiers of neighbouring properties having regard to policy 15 of the Adur District Local Plan.*

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. A public sewer crosses the site and the applicant is advised to contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel 0330 303 0119) or www.southernwater.co.uk to discuss the matter prior to commencing the development.

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03. 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

04. 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.

05. All Planning applications resulting in a requirement for new street naming or numbering - either residential or commercial - must be processed by the Street Naming and Numbering Team. Developers should contact the team to obtain the new addressing before work starts on site. Fees are payable for this service with increased charges for retrospective addressing. It should be noted that no address within the District or Borough is legal unless authorised by Adur and Worthing Councils. It will also be expected that the street nameplates will be provided to a standard expected by the District or Borough Council.

    Please contact the Street Naming and Numbering Team at Corporate Information, Technical Services, Adur and Worthing Councils, Portland House, 44 Richmond Road, Worthing BN11 1HS. Telephone: 01903 221479/01903 221480 Email: llpg3835@adur-worthing.gov.uk or alternatively visit our website www.adur-worthing.gov.uk/naming-and-numbering where you can find further information and an on-line application form.

    For the street nameplate specification (and copy of Borough Council crest) please contact the Engineering Team, Technical Services, Adur and Worthing Councils, Portland House, 44 Richmond Road, Worthing, BN11 1HS. Telephone 01903 221479 Email: Techserv@adur-worthing.gov.uk

06. Precautionary land contamination

    This site is situated on or adjacent to a site which has been identified through Adur and Worthing Councils' Contaminated Land Inspection Strategy as having the potential to be contaminated. If during development, any visibly contaminated or odorous material, (for example asbestos, stained soil, petrol/diesel/solvent odour, underground tanks/vessels or associated pipework) is found to be present at the site, it is the responsibility of the owner and developer to establish the extent of any potentially harmful material on this site. It is advised that no further development shall be carried out until it has been investigated. It is recommended that the Local Authority's Environmental Health Department is contacted for further advice.

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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).