Adur District Council

Development Management

Mr Sean Garrick
Garrick and Team
36 Edburton Avenue
Brighton
BN1 6EJ

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1083/18

Details of Development
VARIATION OF CONDITION 2 (LIST OF APPROVED PLANS) OF APPROVED AWDM/0301/17 (CHANGE OF USE FROM SINGLE DWELLING HOUSE TO DAYCARE NURSERY (TO ACCOMMODATE UP TO 75 CHILDREN) WITH SINGLE FLAT AND REPLACEMENT OF EXISTING CONSERVATORY WITH SINGLE STOREY EXTENSION) IN ORDER TO ACCOMMODATE A GARDEN ROOM IN THE REAR GARDEN

Location of Development
48 BUCKINGHAM ROAD SHOREHAM-BY-SEA WEST SUSSEX BN43 5UD

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 26th July 2018.

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
07/09/2018

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
DX: 142965 Worthing 10 Web: www.adur-worthing.gov.uk

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
MANAGEMENT PLAN FOR OUTDOOR ACTIVITIES	Rev A	04.09.2018
LOCATION PLAN AND SITE LAYOUT	Drg No 1613-01	01.03.2017
PROPOSED PLANS AND ELEVATIONS	Drg No 1613-03B	31.03.2017
PROPOSED GARDEN LAYOUT	Drg No 1613-04C	26.07.2018

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

02. The Travel Plan approved under application reference AWDM/0301/17 shall be implemented in full accordance with the timetable within the Plan. The Travel Plan shall thereafter be monitored annually and the findings submitted to the local planning authority for review and any necessary new measures or interventions shall be implemented accordingly.

Reason: *To reduce congestion in the vicinity of the proposed nursery and to protect highway safety having regard to policy 28 of the Adur Local Plan.*

03. At all times the nursery shall operate in full accordance with the Nursery Management Plan for Outdoor Activities received 4 September 2018

Reason: *To protect the living conditions of occupiers of neighbouring dwellings from noise and disturbance having regard to policy 15 of the Adur Local Plan.*

04. The garden room hereby permitted shall only be used in connection with the use of the site as a daycare nursery and no amplified music or speech shall be used in the garden room at any time.

Reason: *To protect the living conditions of occupiers of neighbouring dwellings from noise and disturbance having regard to policy 15 of the Adur Local Plan.*

Cont…/

05. The building (48 Buckingham Road) shall be used only as a children's day nursery and single flat and for no other purpose within Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to the Class in any Statutory Instrument revoking and re-enacting that Order with or without modification).

Reason: *To protect the living conditions of occupiers of neighbouring dwellings from noise and disturbance having regard to policy 15 of the Adur Local Plan.*

06. The use shall not commence until off-street parking spaces have been provided within the development in accordance with the approved plans. These spaces shall thereafter be reserved for the sole use of parent / carer pick-up / drop-off and will not be made available for staff or other parking purposes.

Reason: *To ensure adequate access into the site, provide for the needs of the development and protect highway safety having regard to policy 28 of the Adur Local Plan.*

07. Deliveries to and from the development hereby permitted shall not take place between the hours of 07:45 - 09:15 and 16:45-18:15 Monday-Friday.

Reason: *To restrict congestion at peak hours in the interests of highway safety having regard to policies 15 and 28 of the Adur Local Plan.*

08. The external materials and finishes of the development hereby permitted shall, prior to commencement of use of the additional floorspace thereby created, be completed to match in design, colour and texture those of the existing building.

Reason: *To maintain the character and appearance of the area having regard to policy 15 of the Adur Local Plan.*

Informatives / Notes to Applicant

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Ref: AWDM/1083/18

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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 of the date of this notice, using a form which you can get from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

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.