ADUR DISTRICT COUNCIL

Mr Tim Rodway
Rodway Planning Consultancy Limited
293 Upper Shoreham Road
Shoreham by Sea
BN43 5QA

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0115/24

Details of Development
ERECTION OF 1 NO. ATTACHED TWO STOREY DWELLING

Location of Development
77 FRESHBROOK ROAD LANCING WEST SUSSEX BN15 8DE

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 1st February 2024.

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

GPeck

Gary Peck
Planning Services Manager
01/05/2024

Adur District Council, Development Management, Economy Directorate,
Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Tel: 01903 221065 Email: planning@adur-worthing.gov.uk
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
PROPOSED PLANS & ELEVATIONS	DS/FRESHBROOKNEW/01REV1	19.04.2024
FLOOD RISK ASSESSMENT		01.02.2024
EXISTING PLANS, SITE & BLOCK PLANS	DS/FRESHBROOKNEW/02	22.03.2024
LOCATION PLAN	DS/FRESHBROOKNEW/03	22.03.2024

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

02. The external materials and finishes of the development hereby permitted shall be completed to match in design, colour and texture those of the existing dwelling (77 Freshbrook Road) unless otherwise approved in writing by the Local Planning Authority.

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

03. 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, AA, B and E of Part 1 and Class A of Part 2 of the Schedule to that Order.

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

04. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plans.

Reason: *To provide alternative travel options to the use of the car in the interests of sustainability having regard to policy 28 of the Adur Local Plan.*

05. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose

Reason: *To provide car-parking space for the use having regard to policy 28 of the Adur Local Plan.*

06. The development shall be carried out in accordance with the submitted Flood Risk Assessment and plans (ref: XX-HML-XX-XX-RP-M-140001, 77 Freshbrook Road, Lancing BN15 8DE. Flood Risk Assessment- Prepared by Hilson Moran, dated 18/12/2023) and the following mitigation measures it details:

- Sleeping accommodation is to be located on the first floor of the property, not the ground floor.
- Finished First Floor Levels are to be no less than 5.91m AOD.
- Flood resilient construction of the dwelling must be up to 600mm.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development

Reason: *To reduce the risk of flooding to the proposed development and future occupants, having regard to the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change and policy 36 of the Adur Local Plan.*

07. 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) and follow the hierarchy of preference 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. Winter groundwater monitoring to establish highest annual ground water levels and winter infiltration testing to BRE DG365, or similar approved, will be required to support the design of any infiltration drainage. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed

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

08. 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 adequate drainage for the lifetime of the development and to comply with the National Planning Policy Framework and policy 36 of the Adur Local Plan.*

09. 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. The development shall be carried out in accordance with the approved Plan and shall be adhered to throughout the construction period. The 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 security hoarding;
(v) wheel-washing facilities;
(vi) measures to control the emission of dust and dirt during construction; and
(vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

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

10. 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.*

11. The dwelling hereby approved shall not be occupied until final details of any sustainability and energy efficiency measures to be incorporated within the development have been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until the approved measures have been provided.

    Reason: *In the interests of sustainability and energy efficiency having regard to policies 18 and 19 of the Adur Local Plan, Sustainable Energy SPD (August 2019) and the NPPF.*

12. The bathroom window in the rear elevation of the dwelling hereby permitted shall at all times be obscure-glazed and non-opening (except that part which is above 1.7 metres above the floor of the room in which the window is installed) and it shall not subsequently be altered in any way.

    Reason: *To prevent overlooking and to comply with 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 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 applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted.

Additional information about the licence application process can be found at the following web page:
https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/
Online applications can be made at the link below, alternatively please call 01243 642105.
https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/

Ref: AWDM/0115/24

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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).