Adur District Council

Development Management

Mr Rex Wells
20 Radinden Manor Road
Hove
East Sussex
BN3 6NM

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0176/17

Details of Development
ATTACHED THREE BEDROOM DWELLING INCORPORATING EXISTING SINGLE-STOREY SIDE EXTENSION. (REVISED PROPOSAL)

Location of Development
1 MONKS AVENUE LANCING WEST SUSSEX BN15 9DJ

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 6th March 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
30/06/2017

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
GROUNDWATER FLOODING		06.03.2017
ADDITIONAL BLOCK PLAN		15.06.2017
FRA		24.04.2017
BLOCK PLAN		06.06.2017
ALTERATIONS AND EXTENSIONS	Amended Plan 2	06.06.2017
PLANS AS EXISTING	Drg No 1	06.03.2017

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. 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, including first floor window cill details and hip tiles for the porch and main roof, unless otherwise approved in writing by the Local Planning Authority.

Reason: *In the interests of visual amenity and to comply with saved policy AH7 of the Adur District Local Plan.*

04. The widened access from the site to the public highway shall be designed to provide at least 1 parking space per dwelling and constructed with kerb radii, visibility splays and sight lines in all respects in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority before any building works authorised by this permission is commenced. Prior to occupation of the new house the approved works shall be constructed and thereafter such visibility splays and sight lines shall be kept clear of any obstruction and the parking retained.

Reason: *In the interests of highway safety having regard to Emerging Local Plan policy 29 and Manual for Streets.*

05. Secure, covered cycle parking shall be provided within the curtilage of the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development hereby approved. Such approved cycle facilities shall be provided on the site prior to commencement of use of the new dwelling hereby approved and shall thereafter be retained permanently solely for such purposes.

Reason: *To encourage and provide for a sustainable non-car mode of transport having regard to saved Local Plan policy AT10 and emerging Local Plan policy 29.*

06. No construction work shall be carried out on site unless and until provision has been made in accordance with details approved by the Local Planning Authority for temporary parking and loading/unloading of all contractors' vehicles, and for contractors' buildings, plant, and stacks of materials. Such provision shall be retained and used for the purpose specified in the approved details throughout the period of work on the site with all vehicles, plant and materials kept within the areas so approved.

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

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

Reason: *In the interests of amenity and the environment having regard to saved policy AH2 of the Adur District Local Plan.*

08. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any Order revoking and re-enacting that Order with or without modification), no windows or other openings (other than as hereby approved) shall be formed in the walls or roof of the new dwelling.

Reason: *To prevent overlooking and to comply with saved policy AH2 of the Adur District Local Plan.*

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

Reason: *In the interests of amenity and to comply with policy AH2 of the Adur District Local Plan.*

10. No development shall take place unless and until details of surface water drainage incorporating Sustainable Drainage Systems (SUDS) and responding to the specific hydrological conditions of the site have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The approved surface water drainage system shall be implemented and thereafter managed and maintained in accordance with the approved details to include clearance and maintenance of that part of the rear ditch within the site. Those details shall include a timetable for the implementation of the sustainable surface water drainage system, and a management and maintenance plan for the lifetime of the development which shall include any arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the sustainable surface water drainage system throughout its lifetime.

    Reason: *To avoid the risk of localised flooding and in the interests of sustainable development having regard to saved Local Plan policy AP4 and Emerging Local Plan policy 37.*

11. The bathroom window for the new house shall be installed with obscure glazing and openable only above 1.7 metres from finished floor level and retained as such thereafter.

    Reason: *To prevent overlooking and to comply with saved policy AH2 of the Adur District Local Plan.*

12. The development hereby permitted shall not be commenced until a scheme for protecting the proposed dwellings and outside amenity areas from noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate good acoustic design and shall comply with the internal noise level guidelines set out in BS8233:2014. The scheme shall also try and achieve as far as reasonably practicable the WHO guidelines for external amenity areas. All works which form part of the agreed scheme shall be completed before the permitted dwelling is occupied.'

    Reason: *In the interest of future occupiers living conditions having regard to saved Local Plan policy AH2 and Emerging Local Plan policy 15.*

Informatives / Notes to Applicant

01. The applicant is advised to contact the Highway Licensing team (01243 642105) to obtain formal approval from the highway authority to carry out the site access works on the public highway.

02. A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk

03. 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.

04. The applicant is reminded of his riparian responsibility, as landowner, to maintain his part of the ditch at the rear of his garden.

05. Prior to submitting surface water details you are advised to discuss the detail of what is required with Ken Argent the Council's drainage engineer. 01903 221374

06. 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.

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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.

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).