ADUR DISTRICT COUNCIL

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PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1553/24

Details of Development

APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) OF PREVIOUSLY APPROVED AWDM/1419/23. AMENDMENT: CHANGES TO CENTRAL PARKING AREA AND SIDE EXTENSION TO BUTCHERS SHOP, REPLACEMENT WALKWAY/TWITTEN. FIRST FLOOR EXTENSION SHOWN AND FENESTRATION CHANGES TO FLAT (R6). NEW WINDOWS AND NEW BALCONY AND FLAT ROOF EXTENSION WITH RAISED PARAPET AND RENDER BANDING DETAIL TO R6. ORIGINAL DESCRIPTION: PARTIAL REDEVELOPMENT AND ALTERATIONS TO INCLUDE CONVERSION OF THE FORMER BANK PREMISES AND FLAT TO FORM 3NO HOUSES; REPLACEMENT OF GARAGE AND OUTBUILDINGS TO NORTH OF BANK WITH SHOP AND MAISONETTE; PARTIAL DEMOLITION OF 7/9 NEW ROAD WITH FIRST FLOOR EXTENSION TO FORM A ONE BED FLAT, RETAINING GROUND FLOOR COMMERCIAL PREMISES AND SHOPFRONT; ALTERATIONS AND REAR EXTENSION OF 3 NEW ROAD TO FORM A 3-BEDROOM HOUSE WITH GARDEN.

Location of Development

DEVELOPMENT SITE AT 26 AND 27 EAST STREET AND 3 TO 9 NEW ROAD SHOREHAM-BY-SEA WEST SUSSEX

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 3rd December 2024.

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

Ref: AWDM/1553/24



Gary Peck
Planning Services Manager
17/02/2025

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
LOCATION & BLOCK PLANS	01B	03.12.2024
PROPOSED SITE PLAN	10D	03.12.2024
PROPOSED STREET ELEVATIONS	11B	03.12.2024
PROPOSED SITE SECTIONS	12D	03.12.2024
PROPOSED SITE SECTION CC	13B	03.12.2024
PROPOSED GROUND FLOOR PLAN - UNIT R5, R6, C3	14D	03.12.2024
PROPOSED FIRST FLOOR PLAN - UNIT R5, R6	15D	03.12.2024
PROPOSED ELEVATION TO NEW ROAD	17B	03.12.2024
PROPOSED NORTH ELEVATION TO UNITS R8 & R9	18D	03.12.2024
PROPOSED WEST ELEVATION - R6	24B	03.12.2024

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 permission AWDM/1419/23.

Reason: *To comply with Section 91 of the Town and Country Planning Act 1990.*

03. 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.*

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. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: *To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.*

05. The Construction Management Plan approved under application reference AWDM/0143/24 shall be implemented and adhered to throughout the entire construction period.

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

06. The amended development hereby approved shall not commence until an updated surface water drainage scheme and calculations for the site, to demonstrate that the proposed changes will not increase flood risk to the site and elsewhere, have been submitted to and approved in writing by the Local Planning Authority.

Reason: *To prevent flooding by ensuring the satisfactory management of local flood risk, surface water flow paths, storage, and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development in accordance with the National Planning Policy Framework and policy 36 of the Adur Local Plan.*

07. The use hereby permitted shall not be carried on until sound insulation between the commercial use and the flat above (R4) is provided, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, to achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB), with post completion testing to demonstrate the required sound insulation has achieved.

Reason: *In the interests of amenity and to comply with policies 15 and 34 of the Adur Local Plan.*

08. All hard and soft landscape works shall be carried out in accordance with the details and times approved under application reference AWDM/0190/24. Any plants which within a period of five years from the time of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: *In the interests of visual amenity and the environment and to comply with policies 15 and 30 of the Adur Local Plan.*

09. The development shall be completed in accordance with the schedule of external materials and finishes approved under application reference AWDM/0007/24.

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

10. The buildings shall not be occupied until the boundary walls and/or fences have been erected in accordance with the details approved under application reference AWDM/0007/24 and they shall thereafter be retained permanently.

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

11. Privacy screens shall be installed at the sides of the proposed roof terraces in accordance with the details approved under application reference AWDM/0007/24 prior to commencement of use of those terraces and shall thereafter be retained.

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

12. The first floor bathroom window in the north side elevation of unit R4 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.*

13. 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 commercial premises hereby approved shall be used only for purposes within Use Class E (a), (b) and (c) only as defined in the Town and Country Planning (Use Classes) Order 1987 or in any equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification.

    Reason: *In the interest of amenity having regard to policies 15 and 34 of the Adur Local Plan.*

14. The air source heat pumps shall be installed in accordance with the details approved under application reference AWDM/0190/24 prior to first occupation of the development.

    Reason: *In the interests of sustainability and to protect residential amenity having regard to policies 15 and 18 of the Adur Local Plan.*

15. No buildings on the site shall be occupied until the associated facilities for storing refuse and waste, including for waste that can be recycled, have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

    Reason: *In the interests of amenity and to comply with the West Sussex Waste Local Plan.*

16. The development shall take place in accordance with the archaeological written scheme of investigation approved under application reference AWDM/0486/24

    Reason: *The site is of archaeological significance and it is important that it is recorded having regard to the National Planning Policy Framework and policy 17 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.

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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://acp.planninginspectorate.gov.uk.

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 on the same, or substantially the same, development as in the householder application within 2 years of the date the application was made, the period for receiving an appeal is within 28 days of the date on the decision notice or of the date by which the LPA should have decided the application. Where an enforcement notice was served after the decision notice was issued or after the end of the period the LPA had to determine the application, the period for receiving an appeal is within 28 days of the date the enforcement notice was served (unless this extends the normal 12 weeks deadline).