



ADUR DISTRICT COUNCIL

Mr Chris Barker
ECE Planning Limited
64-68 Brighton Road
Worthing
BN11 2EN
United Kingdom

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0949/22

Details of Development

ERECTION OF A THREE-STOREY SIDE EXTENSION TO THE EXISTING BUILDING AND RECESSED ROOF TOP EXTENSION TO THE WHOLE OF THE BUILDING TO ACCOMMODATE 9NO. FLATS COMPRISING 7NO. 1-BEDROOM FLATS AND 2NO. 2-BEDROOM FLATS. DEMOLITION OF EXISTING GARAGE BLOCK, RECONFIGURATION TO EXISTING CAR PARKING, PROPOSED LANDSCAPING, AND CYCLE/REFUSE STORAGE

Location of Development

ST JOHNS COURT PENSTONE CLOSE LANCING 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 8th June 2022.

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

A handwritten signature in black ink that reads 'G Peck'.

Gary Peck
Planning Services Manager
06/06/2023

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
DESIGN & ACCESS STATEMENT MAY 2023	DOC.01 REV B	12.05.2023
PLANNING & TRANSPORT STATEMENT MAY 2023	P1894 P5	12.05.2023
PROPOSED SITE PLAN	PL02 Rev P7	12.05.2023
PROPOSED ELEVATIONS & SECTION	PL04 Rev P2	12.05.2023
PROPOSED STREET SCENES	PL05 Rev P3	12.05.2023
PROPOSED BIKE & BIN STORE	PL06 Rev P5	12.05.2023
DRAINAGE STRATEGY	07.12.2022	12.12.2022
SITE SECTION	PL10	29.09.2022
STRUCTURAL SURVEY REPORT	SG/am/22108	08.06.2022
EXISTING ELEVATIONS	18051-02-E-GA-JC Rev A	08.06.2022
EXISTING ROOF PLAN	21155-02-B-R Rev A	08.06.2022
LOCATION PLAN	PL01 Rev P1	08.06.2022
PROPOSED FLOOR PLANS	PL03 Rev P2	08.06.2022

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. No development shall be carried out unless and until a schedule of materials and finishes to be used for the external walls (including windows and doors) and roofs of the proposed buildings has been submitted to and approved in writing by the Local Planning Authority and the development shall be completed in accordance with the approved schedule.

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

04. 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 Management 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;
 - (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
 - (viii) details of resident liaison before and during the development

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

05. Work for the implementation of the development hereby permitted shall only be undertaken between the following hours:

8am-6pm Monday to Friday, 8.30am-1pm Saturdays

with **no** working on Sundays or Public Holidays

Reason: *To safeguard the amenities of the occupiers of neighbouring properties having regard to policies 15 and 34 of the Adur Local Plan.*

06. Development shall not commence, other than works of site survey and investigation, until full details of the proposed foul and surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and winter Percolation testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. No building / No part of the extended building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity

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

07. Development shall not commence until full details of the maintenance and management of the surface water drainage system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The manual is to include details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life. Upon completed construction of the surface water drainage system, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

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

08. The buildings shall not be occupied until the car parking spaces and cycle storage facilities have been provided in accordance with the approved plans. The spaces shall not thereafter be used for any purpose other than for parking of vehicles and cycles incidental to the use of the premises concerned.

Reason: *In the interests of amenity and highway safety and having regard to the National Planning Policy Framework and policies 15 and 28 of the Adur Local Plan.*

09. 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 the approved details.

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

10. The development shall not be occupied until the sustainability and energy efficiency measures have been installed in accordance with the approved details.

Reason: *To ensure that the development is sustainable and makes efficient use of energy having regard to the National Planning Policy Framework and policy 18 of the Adur Local Plan.*

11. No development shall take place until full details of all hard and soft landscaping works and the proposed times of planting have been approved in writing by the Local Planning Authority and all soft landscape works shall be carried out in accordance with those details and at those times. 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.*

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. West Sussex Fire and Rescue Service require evidence that all points inside all flats are within 45 metres of a fire appliance in accordance with Approved Document B Volume 1 2019 Edition B5 section 13. This is to be measured along the hose lay route, not in a direct line or arc measurement. Any areas not within the 45 metre distance will need to be mitigated by the installation of domestic sprinkler or water mist system complying with BS9251 or BS8458 standard.

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(AMENDMENT) (ENGLAND) ORDER 2015**

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).