ADUR DISTRICT COUNCIL

Mr Tony Rogers
Tony Rogers Building Consultants
40 Dawn Crescent
Upper Beeding
BN44 3WH

# PLANNING PERMISSION

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

## APPLICATION NUMBER: AWDM/0532/20

Details of Development
**DETACHED 5-BEDROOM HOUSE WITH ROOF DORMERS ON SOUTH AND EAST ELEVATIONS AND ATTACHED GARAGE (AMENDMENT TO AWDM/1771/17). AMENDMENTS INCLUDE: RETENTION OF CHANGES TO FENESTRATION, RETENTION OF ROOFLIGHTS AND SECOND FLOOR WINDOW ON WEST ELEVATION, RETENTION OF FIRST FLOOR GARAGE WINDOWS, RETENTION OF LINK ADDITION TO GARAGE ROOF AND CREATION OF FIRST FLOOR ART STUDIO OVER GARAGE, OPEN CANOPY TO FRONT DOOR ON WEST ELEVATION, REVISED FIRST FLOOR LAYOUT INCLUDING RELOCATION OF BATHROOM, INTRODUCTION OF TWO EN-SUITE BATHROOMS AND STAIRCASE TO SECOND FLOOR. SECOND FLOOR TO INCLUDE 5TH BEDROOM AND PLAYROOM. NO CHANGE TO FOOTPRINT OR HEIGHT OF APPROVED HOUSE.**

Location of Development
**LAND SOUTH OF THE OLD RECTORY KINGSTON LANE SOUTHWICK 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 13th May 2020.

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

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

**Ref: AWDM/0532/20**

07/07/2020

## 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 STATEMENT | | 13.05.2020 |
| BLOCK PLAN | | 13.05.2020 |
| LOCATION PLAN | | 13.05.2020 |
| PROPOSED ELEVATIONS | 14/973/01 REV D | 13.05.2020 |
| PROPOSED GROUND FLOOR PLAN | 14/973/02 REV C | 13.05.2020 |
| PROPOSED FIRST FLOOR PLAN | 14/973/03 REV E | 13.05.2020 |
| PROPOSED SECOND FLOOR & ROOF PLAN | 14/973/04 REV E | 13.05.2020 |

**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. Unless otherwise agreed in writing by the Local Planning Authority, the dwelling hereby permitted shall be completed using the following external materials and finishes:-
(i) External walls: A blend comprising Weinberger Amberley Red multi/Matthews Red multi/Bovingdon Rural (samples received);
(ii) Vertical tile-hanging: Keymer 'Shire Downs' Red (sample received);
(iii) Roof (with bonnet hips): Goxhill 'Autumn Brown' (sample received);
(iv) Windows and Doors: Timber.

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

04. Windows and french doors and canopies will consist of Douglas Fir, unpainted and treated with Sadolin wood preserver (or similar).

Any variation to these approved details shall be notified in writing to the Local Planning Authority and agreed prior to installation and only those details as agreed shall be installed thereafter and retained.

**Reason**: *In the interests of visual amenity in accordance with policy 15 of the Adur Local Plan.*

05. Boundary treatments shall be as previously agreed and shown on Dwg. No.01/75/15 Rev A attached to planning permission AWDM/0218/14 dated 29.6.15 and shall include the clarification in Mr D Clark's letter dated 20 October 2016 concerning the repair and refurbishment of the existing flint boundary wall.

Any variation to these details shall be submitted in writing to the Local Planning Authority, agreed and thereafter implemented prior to first occupation of the dwelling.

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

06. The dwelling shall not be occupied until the garaging, parking spaces, access facilities and construction and surfacing details have been submitted to and approved in writing by the Local Planning Authority. The ground floor garage and areas of land so provided shall not thereafter be used for any purpose other than parking of vehicles incidental to the use of the proposed dwelling.

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

07. Landscaping of the site shall be as previously agreed in writing and shown on Dwg. Nos. 01/75/15 Rev A accompanying permission AWDM/0218/14 dated 29.6.15 to be carried out in conjunction with the recommendations of the Arboricultural Report by Connick Tree Consultants Dated 31 October 2014.

Any variation to these agreed details shall be notified to the Local Planning Authority in writing, agreed, and thereafter implemented prior to first occupation of the dwelling and retained.

**Reason**: *In the interests of visual amenity and the environment and to comply with saved policies 15, 17 and 30 of the Adur Local Plan.*

08. Other than those trees identified for removal as part of the landscaping scheme approved under Condition 7 of permission AWDM/0218/14 dated 29.6.15, the existing trees/bushes/hedges on the site agreed as being retained shall be protected for the duration of construction works in accordance with the Tree Protection Measures and Appendix III Tree Protection Plan set out in the submitted BS:5837 Arboricultural Survey Report and Impact Assessment by Connick Tree Consultants dated 31.10.2014. Of those trees/bushes/hedges agreed as being retained, any or any parts thereof which are removed without consent or die or are severely damaged or become seriously diseased during the construction period shall be replaced in the following planting season with trees/bushes/hedges of such size and species as may be agreed with the Local Planning Authority (in addition to those agreed under Condition 7).

**Reason**: *In the interests of visual amenity and to protect the character of the locality and to comply with policies 15 and 30 of the Adur Local Plan*

09. 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 dwelling shall not be extended or altered by means of any development as set out within Classes A, B, C, D and E of Part 1 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.*

10. Surface water drainage shall be carried out in accordance with the details previously agreed, namely:

Combined Services (DW) Ltd site overview letter and Percolation Test Results and Drgs: 01/75/15 Rev A and 01/75/16 all received 20th July 2017.

Any alteration to these details shall be notified in writing to the Local Planning Authority, agreed and then implemented in strict accordance prior to first occupation of the dwelling and retained thereafter.

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

11. Any changes to the building foundations will require the approval of Southern Water. In the event of such a planned change works should not commence until the details have been submitted in writing to the Local Planning Authority for approval. Only such details as agreed shall be built.

**Reason**: *To ensure the public foul sewer which crosses the site is not adversely affected by the development.*

12. No work for the implementation of the development hereby permitted shall be undertaken on the site except between the hours of 08.00 and 18.00 on Monday to Friday and between 08.00 and 13.00 hours on Saturdays. No work shall take place on Sundays or on Bank 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.*

13. The Construction Method Statement received 24/2/16 and agreed 30th January 2017 under the terms of permission AWDM/0218/14 dated 29.6.15 shall be adhered to throughout the construction period.

**Reason**: *In the interests of highway safety and neighbour amenity having regard to policy 15 of the Adur Local Plan.*

14. The enlarged garage shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 55B Rectory Road.

**Reason**: *To enable the Local Planning Authority to maintain strict control over the use of the land in the interest of local character and neighbour amenity and to prevent the creation of a small and under resourced unit of accommodation having regard to Local Plan policies 15 and 20 and adopted Development Management Standard No.1: Space Around Dwellings and the National Planning Policy Framework.*

**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.

02. Please Note: Following commencement of the development, the exact position of the soakaways will need to be agreed on site with Mr Sergeant, the Council's Senior Tree and Landscape Officer.
Tel:- 01273 263477 or Email: jeremy.sergeant@adur-worthing.gov.uk

03. 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

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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 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).