ADUR DISTRICT COUNCIL

Mr Rob Shepherd
Rob Shepherd Designs
87A Mile Oak Road
Portslade
Brighton
BN41 2PJ

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1092/18

Details of Development
APPLICATION TO VARY CONDITION 1 OF PREVIOUSLY APPROVED AWDM/1508/17. AMENDMENT: INCREASE IN DEPTH AND WIDTH OF GARAGE/STORE, INCORPORATING CYCLE STORE, USE OF PAINTED BLOCKWORK FINISH RATHER THAN RENDER, INCREASE IN HEIGHT OF BOUNDARY WALL AND NEW GATE TO NORTH WEST BOUNDARY.

Location of Development
80 OLD SHOREHAM ROAD SHOREHAM-BY-SEA WEST SUSSEX BN43 5TD

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 27th July 2018.

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
07/11/2018

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 FLOOR PLANS	Drg 2017/0025-03 Rev F	11.09.2018
PROPOSED ELEVATIONS & SECTION	Drg 2018/0025-04 Rev E	11.09.2018

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

02. The external facing blockwork walls of the garage/store hereby approved shall be painted white within 3 months of the date of this decision.

Reason: *In the interest of the visual amenities of the locality having regard to policy 15 of the Adur Local Plan.*

03. The development shall be completed in accordance with the schedule of materials and finishes submitted under reference AWDM/1508/17.

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

04. The secure, covered cycle parking shown on the plans shall be provided prior to commencement of use of the dwellings 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 policy 15 of the Adur Local Plan.*

05. No dwelling 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 policy 15 of the Adur Local Plan 2017.*

06. The development shall be carried out in accordance with the Construction Method Statement submitted under reference AWDM/1508/17 and shall be adhered to throughout the construction period.

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

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07. Surface water drainage shall be provided in accordance with the details submitted under reference AWDM/1508/17.

Reason: *To prevent pollution of controlled waters and ensure that the proposed development is adequately drained having regard to policy 36 of the Adur Local Plan 2017.*

08. The obscure glazed screens submitted under reference AWDM/1508/17 shall be erected in accordance with the approved details prior to commencement of use of the balconies and shall thereafter be retained.

Reason: *To prevent overlooking and to comply with policy 15 of the Adur Local Plan 2017.*

09. The development hereby permitted shall only be carried out in accordance with the Flood Risk Assessment submitted under reference AWDM/1508/17.

Reason: *To reduce risk of flooding and in the interests of the safety of the occupants having regard to policy 36 of the Adur Local Plan 2017.*

10. The dwellings shall be protected from traffic noise in accordance with the details submitted under reference AWDM/1508/17. Following completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential units from noise.

Reason: *In the interest of amenity and to comply with policies 15 and 34 of the Adur Local Plan 2017.*

11. The upper floor residential units shall be protected from noise from the ground floor commercial use in accordance with the details submitted under reference AWDM/1508/17. Following completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential units from noise.

Reason: *In the interest of amenity and to comply with policies 15 and 34 of the Adur Local Plan 2017.*

12. Prior to commencement of the development hereby approved (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:-

(1) A preliminary risk assessment which has identified:-
- all previous uses;
- potential contaminants associated with those uses;
- a conceptual model of the site indicating sources, pathways and receptors; and
- potentially unacceptable risks arising from contamination at the site.

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(2) A site investigation scheme, based on (1) above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

(3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

(4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority.

The scheme shall be implemented as approved above and, prior to commencement of any construction work (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a Verification Report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: *To prevent pollution of groundwater and in the interests of environmental protection and public health and safety, in compliance with policy 34 of the Adur Local Plan 2017.*

13. Those windows shown on the approved plans as being 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) shall be installed as per the approved plans and they shall not subsequently be altered in any way.

Reason: *To prevent overlooking and to comply with policy 15 of the Adur Local Plan 2017.*

14. The flats hereby approved shall not be occupied until 3 parking spaces have been provided at the front of the site in accordance with plans to be submitted to and approved in writing by the Local Planning Authority. The areas of land so provided shall be reserved for the occupiers of each flat and shall not thereafter be used for any purpose other than the parking of vehicles incidental to the use of the flats.

Reason: *In the interests of amenity and highway safety and having regard to policy 15 of the Adur Local Plan 2017.*

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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.

Ref: AWDM/1092/18

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (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 you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

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.