ADUR DISTRICT COUNCIL

Ms Sarah Kemp
Eskay Architects
62 Parkside
Shoreham By Sea
West Sussex
BN43 6HA

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/0705/19

Details of Development
PROPOSED SINGLE STOREY SIDE EXTENSION, NEW WINDOW SIZES IN SOME EXISTING OPENINGS, NEW GARDEN WALLS AND GLASS BALUSTRADE TO EXISTING BALCONY (WEST). PV PANELS TO MAIN ROOF. RETROSPECTIVE CHANGE OF USE FROM TWO FLATS TO 1 NO. 4 BEDROOM DWELLING, (REVISED PROPOSAL).

Location of Development
53 SOUTHDOWN ROAD SHOREHAM-BY-SEA WEST SUSSEX BN43 5AL

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 24th April 2019.

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
26/09/2019

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
HERITAGE/DES & ACCESS STATEMENT		24.04.2019
EXISTING ELEVATIONS & SECTION	Drg No DX 02 Rev A	24.04.2019
EXISTING PLANS	Drg No DX 01 Rev A	24.04.2019
PROPOSED ELEVATIONS/SECTIONS	Drg No DX 05 Rev B	01.08.2019
PROPOSED SITE PLAN	Drg No DX 03 Rev C	01.08.2019
AMENDMENTS AFTER SITE VISIT		01.08.2019
SCHEDULE OF WORKS	Rev C	18.09.2019
PROPOSED PLANS	Drg No DX 04 Rev C	18.09.2019
LOCATION AD BLOCK PLAN	Drg No DX 10 Rev C	24.09.2019

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 unless otherwise approved in writing by the Local Planning Authority.

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

04. Prior to any development details of all new or replacement doors and windows shall be submitted in writing to the Local Planning Authority for approval. Only such windows and doors as approved shall be installed.

Reason: *In the interest of the integrity of the listed building and Shoreham Conservation area having regard to policies 16 and 17 of the Adur Local Plan.*

05. Prior to any development details of the glass balustrade and its fixings shall be submitted in writing to the Local Planning Authority for approval. Only such details as approved shall be installed.

Reason: *In the interest of the integrity of the listed building and Shoreham Conservation area having regard to policies 16 and 17 of the Adur Local Plan.*

06. No development shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. These drainage works shall be completed in accordance with the details and timetable approved by the Local Planning Authority.

Reason: *To prevent pollution of controlled waters and ensure that the proposed development is adequately drained having regard to the National Planning Policy Framework and policies 35 and 36 of the Adur Local Plan.*

07. Hand digging of the foundations for the extension and garden walls hereby approved shall at all times be undertaken within the Root Protection Area of the boundary Ash tree. Provision of a contingency for alternative foundations if required shall be prepared before these works commence.

Reason: *In the interest of the health of the ree and the wider appearance of the area having regard to policies 15, 16 and 17 of the Adur Local Plan.*

08. The patio area hereby approved shall be constructed and thereafter retained using only permeable materials and/or a permeable construction or alternatively provision shall be made and thereafter retained to direct surface run-off from the hard surface to a permeable or porous area or surface within the curtilage of the site.

Reason: *To reduce the risk of localised flooding and in the interests of sustainability having regard to the National Planning Policy Framework and policy 36 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.

Ref: AWDM/0705/19

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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.

6. If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Purchase Notices

7. 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.

8. 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.

9. Further correspondence about this application should quote the reference number at the top right hand corner of the form.

10. 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).