ADUR DISTRICT COUNCIL

Mr Paul Craig
Chantry House
Brighton Road
Woodmancote
Sussex
BN5 9ST

PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1738/19

Details of Development
CHANGE OF USE FROM 2NO. FLATS TO A 5 BED HOUSE IN MULTIPLE OCCUPATION AT FIRST FLOOR PLUS ASSOCIATED EXTERNAL ALTERATIONS (AMENDMENT TO PLANNING PERMISSION AWDM/1508/17) (RETROSPECTIVE).

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 6th November 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
09/12/2019

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
PROPOSED ELEVATIONS & SECTION	Drg 2017/0025-04 Rev D	06.11.2019
PROPOSED FLOOR PLANS	Drg 2017/00285-03 Rev D	06.11.2019
LOCATION & SITE PLANS	Drg 2016/0025-05 Rev A	06.11.2019
PROPOSED ELEVATIONS & SECTION HMO OPTION	Drg 2018/0002-04 Rev F	06.11.2019
PROPOSED FLOOR PLANS HMO OPTION	Drg 2018/0002-03 Rev E	06.11.2019
PARTIAL LAYOUT		19.11.2019

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

02. 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.*

03. The secure, covered cycle parking shown on the plans shall be provided prior to commencement of use of the HMO 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 policies 15 and 28 of the Adur Local Plan.*

04. The HMO shall not 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 details approved under reference AWDM/1508/17.

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

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05. 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.*

06. 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.*

07. 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.*

08. 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.*

09. The HMO 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.*

10. The HMO 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.*

11. The development shall be completed in accordance with the Phase 1:Desktop Study and Preliminary Risk Assessment Report by Your Environment submitted under reference AWDM/1508/17.

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.*

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12. 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.*

13. The HMO shall not be occupied until 3 parking spaces have been provided at the front of the site in accordance with the plans submitted under reference AWDM/1508/17. The areas of land so provided shall be reserved for the residents of the HMO only and shall not thereafter be used for any purpose other than the parking of vehicles incidental to the use of the HMO.

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

02. A formal application for connection to the public sewerage system is required in order to service this development. The applicant is advised to contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel 0330 303 0119) or www.southernwater.co.uk

03. Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Southern 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 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.

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).