ADUR DISTRICT COUNCIL

Mr Jon Turner
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PLANNING PERMISSION

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

APPLICATION NUMBER: AWDM/1419/23

Details of Development

PARTIAL REDEVELOPMENT AND ALTERATIONS TO INCLUDE CONVERSION OF THE FORMER BANK PREMISES AND FLAT TO FORM 3NO HOUSES; REPLACEMENT OF GARAGE AND OUTBUILDINGS TO NORTH OF BANK WITH SHOP AND MAISONETTE; PARTIAL DEMOLITION OF 7/9 NEW ROAD WITH FIRST FLOOR EXTENSION TO FORM A ONE BED FLAT, RETAINING GROUND FLOOR COMMERCIAL PREMISES AND SHOPFRONT; ALTERATIONS AND REAR EXTENSION OF 3 NEW ROAD TO FORM A 3-BEDROOM HOUSE WITH GARDEN.

Location of Development

DEVELOPMENT SITE AT 26 AND 27 EAST STREET AND 3 TO 9 NEW ROAD SHOREHAM-BY-SEA 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 October 2023.

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
15/12/2023

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
LOCATION & BLOCK PLAN	TA 1486 / 01 A	29.11.2023
PROPOSED SITE PLAN	TA 1486 / 10 C	29.11.2023
PROPOSED STREET ELEVATIONS	TA 1486 / 11 A	29.11.2023
PROPOSED SITE SECTIONS (A-A & B-B)	TA 1486 / 12 C	29.11.2023
PROPOSED SITE SECTIONS (C-C)	TA 1486 / 13 A	29.11.2023
UNIT R5, R6, C3 - PROPOSED GRND FLOOR PLANS	TA 1486 / 14 C	29.11.2023
UNIT R5, R6 - CONVERSION PLANS (PROPOSED 1ST FLOOR)	TA 1486 / 15 C	29.11.2023
UNIT R5, R6 - CONVERSION PLAN (PROPOSED MEZZANINE FLOOR)	TA 1486 / 16 C	29.11.2023
PROPOSED ELEVATION TO NEW ROAD	TA 1486 / 17 A	29.11.2023
PROPOSED ELEVATION (REAR (NORTH) TO UNITS R5, R6)	TA 1486 / 18 C	29.11.2023
PROPOSED ELEVATION R5 (SIDE (EAST) ELEVATION)	TA 1486 / 19 C	29.11.2023
PROPOSED ELEVATION R6 (PROPOSED WEST (SIDE) ELEVATION)	TA 1486 / 24 A	29.11.2023
PROPOSED BASEMENT PLAN (UNITS R1, R2)	TA 1486 / 30 A	29.11.2023
PROPOSED GROUND FLOOR PLANS (UNITS R1,R2,R3,R4,C1,C2)	TA 1486 / 31 A	29.11.2023
PROPOSED FIRST FLOOR PLANS (UNITS R1,R2,R3,R4)	TA 1486 / 32 A	29.11.2023
PROPOSED SECOND FLOOR PLANS (UNITS R1,R2,R3,R4)	TA 1486 / 33 A	29.11.2023
PROPOSED EAST STREET ELEVATION	TA 1486 / 34 A	29.11.2023
NEW RETAIL UNIT ELEVATION (PROPOSED SIDE (NORTH ELEVATION TO PASSAGEWAY - UNITS R4, C1	TA 1486 / 35 A	29.11.2023

Reference/Drawing Number	Version	Date Rec
PROPOSED SECTION E-E (PROPOSED REAR (EAST) ELEVATION EE - UNITS R1, R2, R3, R4 ,C1)	TA 1486 / 36 A	29.11.2023
PROPOSED ELEVATION (SIDE/SOUTH TO ELEVATION FF TO RESIDENTIAL UNIT R1)	TA 1486 / 37 A	29.11.2023
SECOND FLOOR PLAN AS EXTG (ST MARY'S VIEW)	05 A	13.10.2023
EXISTING NEW ROAD PROPERTIES (GRND FLOOR)	TA 1486 / 06	13.10.2023
EXISTING NEW ROAD PROPERTIES (1ST FLOOR)	TA 1486 / 07	13.10.2023
REAR/EAST ELEVATION AS EXTG (ST MARY'S VIEW)	08	13.10.2023
SIDE/SOUTH ELEVATION AS EXISTING (ST MARY'S VIEW)	09	13.10.2023
SUSTAINABLE DRAINAGE ASSESSMENT	80014R1	13.10.2023
ENERGY & SUSTAINABLILITY STATEMENT	Rev A Sept 2023	13.10.2023
FIRST FLOOR PLANS AS EXTG (ST MARY'S VIEW)	04 A	13.10.2023
GROUND FLOOR PLAN AS EXTG (ST MARY'S VIEW)	01 A	13.10.2023
BASEMENT PLAN R PLAN AS EXTG (ST MARY'S VIEW)	02 A	13.10.2023
SECTION A-A & ELEVATIONS AS EXTG (ST MARY'S VIEW)	03 A	13.10.2023

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 part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: *To provide car-parking space for the use having regard to policy 28 of the Adur Local Plan.*

04. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: *To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.*

05. 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. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:
- the anticipated number, frequency and types of vehicles used during construction;
- the method of access and routing of vehicles during construction;
- the parking of vehicles by site operatives and visitors;
- the loading and unloading of plant, materials and waste;
- the storage of plant and materials used in construction of the development;
- the erection and maintenance of security hoarding;
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
- details of public engagement both prior to and during construction works.

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

06. Construction shall not begin until a detailed surface water and foul sewerage drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority, in consultation with Southern Water. The surface water drainage scheme must prioritise the use of source control Sustainable Drainage Systems (SuDS) in consideration of the Non-Statutory Technical Standards for SuDS and demonstrate no increase in flood risk as a result of the Proposed Development with sufficient supporting evidence provided to support its viability including supporting calculations for the 100% AEP (1 in 1 year), 3.33% AEP (1 in 30 year), 3.33% AEP (1 in 30 year) plus climate change, the 1% AEP (1 in 100 year) and the 1% AEP (1 in 100) plus climate change critical storms. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. Furthermore, the hierarchy of preference must be followed, CV values of 1 must be used and discharge from the site must be as close as reasonably practicable to that of greenfield or 1 litre/second.

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

07. The use hereby permitted shall not be carried on until sound insulation between the commercial use and the flat above (R4) is provided, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, to achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB), with post completion testing to demonstrate the required sound insulation has achieved.

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

08. No works or 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.*

09. No development shall be carried out unless and until a schedule of materials and finishes to be used for the external walls (including details of new 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.*

10. No development shall take place until details of walls and/or fences have been submitted to and approved in writing by the Local Planning Authority and the buildings shall not be occupied until such walls and/or fences have been erected and they shall thereafter be retained permanently.

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

11. Prior to commencement of development details of privacy screens at the sides of the proposed roof terraces shall be submitted to and approved in writing by the Local Planning Authority. The screens shall be erected in accordance with the approved details prior to commencement of use of the terraces and shall thereafter be retained.

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

12. The first floor bathroom window in the north side elevation of unit R4 hereby permitted shall at all times be 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) and it shall not subsequently be altered in any way.

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

13. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), the commercial premises hereby approved shall be used only for purposes within Use Class E (a), (b) and (c) only as defined in the Town and Country Planning (Use Classes) Order 1987 or in any equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification.

    Reason: *In the interest of amenity having regard to policies 15 and 34 of the Adur Local Plan.*

14. No development shall commence until final details of the proposed size, design and siting of the air source heat pumps have been submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details.

    Reason: *In the interests of sustainability and to protect residential amenity having regard to policies 15 and 18 of the Adur Local Plan.*

15. 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 details to be submitted to and approved in writing by the Local Planning Authority.

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

16. No development shall take place until the applicant (or agent or successor in title) has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant (or agent or successor in title) and approved in writing by the Local Planning Authority.

    Reason: *The site is of archaeological significance and it is important that it is recorded having regard to the National Planning Policy Framework and policy 17 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. The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted.

Additional information about the licence application process can be found at the following web page:
https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/

Online applications can be made at the link below, alternatively please call 01243 642105.
https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/

03. The Private Sector Housing team of Adur & Worthing Councils have identified that some aspects of the development may result in hazards that require action under the Housing Act 2004. Typical hazards can include 'inner' rooms (where the only means of escape in the case of fire is through another risk room i.e. bedroom, living room, kitchen, etc.) or where there are inadequate windows or outlook from habitable rooms. Compliance with Building Regulations will not necessarily address the hazards identified and you should contact the Private Sector Housing team to confirm that the layout of the property is acceptable prior to commencing the development in order to avoid the need for any formal intervention or the requirement of retrospective works.

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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://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).