ADUR DISTRICT COUNCIL

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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/2136/20

Details of Development
CHANGE OF USE AND REFURBISHMENT OF EXISTING B1(A) OFFICE SPACE TO CREATE 6NO. RESIDENTIAL UNITS (4 X 1 BED MAISONETTES, 1 X 1 BED FLAT AND 1 X 2 BED FLAT) AND 1NO. B1(A) OFFICE UNIT, EXTENSION OF FLAT ROOF AT REAR PLUS NEW MONO PITCHED ROOF, REPLACEMENT AND REFURBISHMENT OF WINDOWS, NEW ROOFLIGHTS, VENTS.

Location of Development
TOWN HALL CHAMBERS 45 - 49 HIGH STREET 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 29th June 2021.

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
17/11/2023

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 LOWER GROUND & GROUND FLOOR PLAN	200 REV C	29.06.2021
PROPOSED SECTIONS	203 REV C	29.06.2021
MECHANICAL HEAT RECOVERY REVIEW		29.06.2021
ENERGY STATEMENT		29.06.2021
PROPOSED FIRST FLOOR, SECOND FLOOR & ROOF PLAN	201 REV G	28.03.2023
PROPOSED ELEVATIONS	202 REV H	28.03.2023
MUSHROOM TYPE ROOF VENT	PRODUCT INFO	28.03.2023
AIR QUALITY ASSESSMENT July 2023	12223A (AQ) V1	08.08.2023
FLOOD RISK ASSESSMENT	11610	17.01.2023

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 development shall take place until details of the proposed external balustrade, windows, doors, flues, vent tiles, solar panels and rooflights have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: *In order to conserve the character and appearance of the area having regard to policies 15 and 17 of the Adur Local Plan and the relevant policies of the National Planning Policy Framework.*

04. The internal ductwork for the ventilation system hereby approved shall be installed as shown in the Mechanical Heat Recovery Review prepared by Crofton Consulting Engineers received 29 June 2021 and the approved section drawing 203C received 29 June 2021.

Reason: *To preserve the historic fabric and character of the listed building having regard to policy 17 of the Adur Local Plan and the relevant policies of the National Planning Policy Framework.*

05. No development shall take place until details of secondary glazing including depth of reveal, method of fixing, method of opening, materials and profile have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: *In order to conserve the character and appearance of the building having regard to policy 17 of the Adur Local Plan and the relevant policies of the National Planning Policy Framework.*

06. All works which form part of the scheme for protecting the proposed residential units from road traffic and other noise shall be completed in accordance with the approved plans and the Environmental Noise Survey and Assessment report dated 5 October 2023 before the units are occupied. The sound insulation of the floor/ceiling between the ground and first floor shall achieve a minimum airborne sound insulation value of 50dB (DnTw + Ctr dB). Before the residential units are occupied a test shall be undertaken to demonstrate compliance with this level.

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

07. The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref 11610, October 2022) and the following mitigation measures it details:

- All residential accommodation shall be located on the first floor or above to ensure the finished floor level is above the design flood level including climate change.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements.

The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: *To reduce the risk of flooding to the proposed development and future occupants in accordance with policy 36 of the Adur Local Plan and the NPPF.*

08. 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.*

09. 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,
- HGV construction traffic routings shall be designed to minimise journey distance through the Councils Air Quality Management Areas (AQMA's),
- 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,
- a commitment to no burning on site,
- 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),
- methods to control dust from the site,
- a commitment to following BS5228:Code of Practice for noise and vibration control on construction and open sites,
- details of public and neighbour engagement both prior to and during construction works.

Reason: *In the interest of amenity and to avoid undue congestion of the site and consequent obstruction to access having regard to policies 28 and 34 of the Adur Local Plan.*

10. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times.

Monday - Friday 08:00 - 18:00 Hours
Saturday 09:00 - 13:00 Hours
Sundays and Bank Holidays no work permitted

Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

Reason: *In the interests of amenity having regard to policy 34 of the Adur Local Plan.*

11. The business unit hereby approved shall only be used as office space within Use Class E (i) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any Statutory Instrument revoking and re-enacting that Order with or without modification).

Reason: *In the interests of amenity and to ensure that the development provides a mixed use in the interests of sustainability having regard to policy 4 of the Adur Local Plan and the relevant policies of the National Planning Policy Framework.*

12. The construction phase mitigation proposed in section 5.21 of the Air Quality Assessment dated July 2023 shall be implemented in full throughout the construction phase.

    Reason: *To reduce the impact on air quality associated with the development having regard to policy 34 of the Adur Local Plan.*

13. Final details of proposed energy efficiency measures, including details of their size, number, siting and method of fitting, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. All energy efficiency and sustainability measures shall be fully implemented prior to first occupation of the building.

    Reason: *In the interests of sustainability having regard to policy 18 of the Adur Local Plan and the NPPF.*

14. The first floor bedroom window on the south elevation hereby permitted shall at all times be obscure-glazed up to 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.*

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.

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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).