ADUR DISTRICT COUNCIL

HGP Architects
HGP Architects Limited
Furzehall Farm
110 Wickham Road
Fareham
PO16 7JH

PLANNING REFUSAL

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

APPLICATION NUMBER: AWDM/0785/24

Details of Development
APPLICATION TO VARY CONDITION 1, OF PREVIOUSLY APPROVED AWDM/1450/21 (AS AMENDED BY AWDM/1024/23) TO INCORPORATE AMENDMENT OF ROOF DESIGN FOR THE 8-9 STOREY TOWER SECTION OF BLOCK B TO REPLACE APPROVED PITCHED ROOF WITH A FLAT ROOF.

ORIGINAL DESCRIPTION (AS PREVIOUSLY AMENDED BY AWDM/1024/23 : ERECTION OF TWO BLOCKS OF DEVELOPMENT RANGING IN HEIGHT BETWEEN 3 - 9 STOREYS COMPRISING 159 RESIDENTIAL UNITS COMPRISING A MIX OF 1-BED, 2- BED AND 3-BED UNITS (INCLUDING A MINIMUM OF 30% OF AFFORDABLE HOUSING), COMMERCIAL (CLASS E) FLOORSPACE AT GROUND FLOOR, AND ASSOCIATED PARKING AND LANDSCAPING. APPLICATION TO VARY CONDITIONS 1 OF PREVIOUSLY APPROVED AWDM/1450/21 (APPROVED DRAWINGS).

Location of Development
LAND EAST OF 1 TO 11 MERCURY HOUSE HAM 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 REFUSE to permit the above development, in accordance with the application and relevant correspondence registered on 19th June 2024.

The reasons for the Council's decision to refuse to permit the development are stated on the schedule overleaf.

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



Gary Peck
Planning Services Manager
03/10/2024

SCHEDULE

Reasons for Refusal

01. The proposal would diminish the design quality and distinctiveness of the approved development, which is situated in an important location in the approach to and outlook from Shoreham, including the edge of the adjoining conservation area. It is acknowledged that there are potential benefits in terms of CO2 reduction and improved sustainable energy and cost associated with the development, but these are not considered to outweigh the impacts in design impact and in heritage terms. This is considered to be contrary to Policies 15 & 16 of the Adur Local Plan 2017 and the NPPF 2024, especially paras 135, 140, 164 and 208

02. For the avoidance of doubt this refusal relates to the following drawings/plans:-.

Reference/Drawing Number	Version	Date Rec
DESIGN & ACCESS ADDENDUM BLOCK B CORE B2	ROOF	19.06.2024
ENERGY REVIEW REPORT BLOCK B	REV A	19.06.2024
BLOCK B ELEVATIONS SHEET 1	D-A-PL44A P1	19.06.2024
BLOCK B ELEVATIONS SHEET 2	D-A-PL45A P1	19.06.2024
GA EIGHTH FLOOR PLAN	D-A-PL18A P2	19.06.2024
GA ROOF PLAN	D-A-PL19A P2	19.06.2024
LOCATION PLAN	D-A-PL01 P1	19.06.2024

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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, and you want to appeal, then you must do so within 12 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 can be made online at: https://www.gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on 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.

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.